

**Report to Congress**

**Reform Activities in Colombia**

**Submitted Pursuant to Section 694(a) of the Foreign Relations  
Authorization Act, Fiscal Year 2003 (Public Law 107-228)**

**April 2010**

**Prepared by the U.S. Department of State in coordination with the  
U.S. Agency for International Development and  
the U.S. Departments of Defense and Justice**

## Colombia: Report on Reform Activities

### Introduction

This report is submitted in accordance with section 694(a) of the Foreign Relations Authorization Act, Fiscal Year 2003 (P.L. 107-228), which asks the Department of State to report on the status of reform activities in Colombia funded or authorized, in whole or part, by the Department of State, USAID or DoD, to promote alternative development, the recovery and resettlement of internally displaced persons, judicial reform, the peace process and human rights, and which requires the following information:

- A. A description of these activities during the previous 12-month period;
- B. An estimated timetable for the conduct of such activities in the subsequent 12-month period;
- C. An explanation of any delay in meeting timetables contained in the previous report submitted in accordance with Section 694(a); and
- D. An assessment of steps taken to correct any delays in meeting those timetables.

This is the eighth annual report we have provided in response to Section 694(a). We are pleased to note that all of the goals described in this report for 2009 were met.

As further requested by the House Report accompanying the Foreign Operations, Export Financing, and Related Programs Appropriations Bill, 2004 (H.R. 108-222), we are also providing more detailed information (at Annex F) on the progress of USAID-funded programs which assist Afro-Colombian communities.

### Alternative Development

The United States is committed to Alternative Development (AD) as an integral component of our counternarcotics efforts. USAID's AD approach accommodates identified constraints and works in concert with eradication as an incentive for farmers to discontinue production of drug crops. This approach includes:

- Agro-industrial, value-added agriculture, forestry, and small- and medium-enterprise activities focused on job creation for rural families in coca-growing and conflict-prone corridors with economic development potential;

- Emphasis on small, labor-intensive, community-managed social and productive infrastructure projects to provide employment and improve the environment for future development;
- Strong linkages between USAID's alternative development and the provision of local government services; and
- Recognition that security and counternarcotics progress are an integral element for successful alternative development.

By the end of FY 2009, alternative development programs have benefited 439,276 families, supported 373,382 hectares of licit crops (cumulative totals) in both coca and poppy areas, and created 132,623 full-time equivalent (FTE) jobs. For FY 2008, the comparative numbers were 217,214 families, 155,219 hectares and 128,674 FTE jobs. For FY 2010, we project 20,000 additional families benefiting from AD activities, 50,000 additional hectares of licit crops supported, and 39,178 additional FTE jobs created.

More detailed information on alternative development programs is provided at Annex A.

### **Recovery and Resettlement of Internally Displaced Persons (IDPs)**

The Department of State's Bureau of Population, Refugees and Migration (PRM) funds programs that provide humanitarian assistance to IDPs in Colombia and to Colombian refugees in the region during the immediate aftermath of their displacement. Longer-term social and economic assistance to IDPs in Colombia is provided by USAID and its partners. PRM and USAID closely coordinate project funding to prevent duplication of programs. The Colombian government continues to dedicate significant resources to IDP assistance, including \$650 million in 2009 and an expected \$700 million in 2010.

During 2009, PRM programmed \$33.9 million for activities carried out by the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), and other International Organizations and NGOs that provided emergency protection and assistance. PRM programming for Colombia in FY 2010 is projected to be approximately \$34.7 million. USAID's IDP programs directly benefited 276,148 IDPs. In FY 2010, USAID plans to provide support services to 168,499 additional IDPs and other vulnerable people.

More detailed information regarding PRM and USAID programs and their implementation is found at Annex B.

## **Judicial Reform**

Reform and strengthening of the Colombian justice sector continues to be a key area for U.S. assistance. The strengthening of the rule of law, justice institutions, an effective and equitable justice system, and the ability to provide effective security and justice are important components for Colombia's democracy. This has become increasingly critical as Colombia moves towards a greater civilian control in areas of conflict. DOJ, with funding through State Department and USAID, gives extensive support to Colombian justice sector reform programs. U.S. efforts are complementary and carefully coordinated at Embassy Bogotá and in Washington.

DOJ's justice sector reform programs have been focused in six major fields:

- Implementation of the New Criminal Procedure Code and Accusatory System;
- Human-Rights Investigations and Prosecutions;
- Justice and Peace Investigations and Prosecutions;
- Specialized Training in complex areas of criminal law, with particular focus on organized crime, homicides, and sex crimes;
- Forensics; and
- Protection Programs.

USAID is working with DOJ to strengthen the rule of law and increase access to justice for underserved populations. USAID's judicial reform efforts have recently shifted to focus more on rural, conflict-affected areas of the country, to increase access to justice for the most vulnerable populations, including Afro-Colombians, indigenous communities, victims, and women.

USAID assistance helped design and implement the new Criminal Procedure Code (CPC) and the oral accusatory process, moving Colombia toward a more effective, responsive and transparent criminal justice system. The new CPC was implemented nationwide as of January 1, 2008, and makes justice more swift and effective. In total, USAID has trained 1,832 judges, 2,727 public defenders and 2,613 law students and legal clinic practitioners, and 590 private attorneys.

Annex C provides details on the extensive programs in this area.

## **The Peace Process**

By the beginning of FY 2007, the demobilization process with the paramilitary United Self-Defense Forces of Colombia (AUC) was formally completed. The last bloc of armed troops laid down their arms on August 16, 2006, bringing the total of demobilized paramilitary combatants to over 31,600. An additional 20,000 combatants have demobilized individually through desertion, primarily from the guerrilla Revolutionary Armed Forces of Colombia (FARC) and the smaller Army of National Liberation (ELN), but also the AUC. Their demobilization and reintegration is central to plans to restore peace in Colombia. Currently, the program is providing vocational training, health coverage, education, a monthly stipend, counseling, and other benefits to over 30,000 active participants.

During FY 2009, the Colombia invested over \$120 million in Disarmament, Demobilization, and Reintegration (DDR) programs and significantly strengthened its institutional capacity to reintegrate ex-combatants. Important programmatic reforms were made that individualized the reintegration plan of each demobilized person in accordance with his or her needs/capabilities. The policy for the living stipend from an unconditional monthly payment was revised to become a payment based on result and effort. Eighty-nine percent of active beneficiaries participated in social reintegration workshops; almost 29,000 received home visits; 11,000 received education benefits; 12,000 received job skills training; and 55 percent of active beneficiaries were employed part-time.

## **Human Rights**

USAID, DOJ, and DoD programs helped to improve the capacity of governmental institutions, the military, and civil society organizations to enhance and broaden respect for human rights in Colombia through a three-tiered approach. This includes prevention of human rights violations by strengthening Colombian and non-governmental human rights institutions; protection of human rights workers, union leaders, journalists, community leaders, and local elected officials under threat; improvement of Colombian responses to human rights threats and/or violations; development, implementation and strengthening of public policies and independent monitoring of the human rights situation; and, finally, support and guidance for victims of the conflict to vindicate their right to truth, justice, and reparation.

USAID programs support Colombian and civil society efforts to improve respect for and adherence to human rights. Programs strengthen state accountability; improve government capacity in human rights policy; foster a culture of human rights; strengthens civil society's role in promoting public policy, dialogue, and accountability; provides independent monitoring of the human rights situation; and promotes victims' rights to truth, justice, and reparations.

The primary area in which DOJ, with funding from the State Department, provides human rights assistance in Colombia is through the Prosecutor General's Human Rights Unit. That unit is responsible for investigating and prosecuting human rights violations by illegal armed groups in Colombia, the Colombian military and others.

The United States Southern Command (USSOUTHCOM) is unique among regional military commands in having established a Human Rights Division to help bring human rights issues to senior level attention. USSOUTHCOM's financial and technical support in 2009 focused on four key areas: operational law, Inspector General investigations and internal controls, military justice reform, and human rights awareness.

Annex E describes these programs with additional details.

**ALTERNATIVE DEVELOPMENT****(A) Summary of Activities**

By the close of FY 2009, USAID had made positive progress in all AD activities. Several highly-leveraged successful activities led to higher than anticipated gains in the overall number of families benefited. Programs have benefited 439,276 families, supported 373,382 hectares of licit crops (cumulative totals) in both coca and poppy areas, and created 132,623 full-time equivalent (FTE) jobs. (For FY 2008, the respective numbers were 217,214 families, 155,219 hectares, and 128,674 FTE jobs.) Farmers' confidence in the program also grew as they received promised AD assistance and communities became increasingly eager to participate.

In addition, by the end of FY 2009, the AD program had supported a total of 1,295 social and productive infrastructure projects in the Departments of Bolívar, Norte de Santander, Nariño, Huila, Cauca, Putumayo, Antioquia, Córdoba, Tolima, Atlántico, and Chocó. Local governance activities were concentrated on strengthening state presence through improved municipal management and citizen participation in decision making, which continued to be integrated into AD efforts in FY 2009. Social and productive projects under the AD program included the construction or rehabilitation of roads, schools, sewage systems, bridges, and similar types of local infrastructure.

USAID also assists Colombia in strengthening management and governance of the country's network of protected areas (including National Parks, wetlands, indigenous lands, etc.), which cover roughly 40 percent of the country.

**(B) Estimated Timetable for Activities in FY 2010**

AD projections for FY 2010 are:

- 20,000 additional families benefiting from AD activities;
- 50,000 additional hectares of licit crops supported; and
- 39,178 additional FTE jobs created.

**(C) Delays in Meeting Timetables Established in the April 2009 Report**

N/A

**(D) Assessment of Steps to be Taken to Correct Delays**

N/A

**RECOVERY AND RESETTLEMENT OF IDPs**

**(A) Summary of Activities**

**Department of State (PRM)**

PRM's primary partners are UNHCR and ICRC, as well as other international organizations (IOs) and NGOs. PRM also coordinates with Acción Social, the Colombian government agency responsible for registering and responding to the needs of IDPs through settlement or return.

During 2009, PRM programmed \$33.9 million for activities carried out by UNHCR, ICRC, and other IOs and NGOs that provided emergency protection and assistance to Colombian IDPs and refugees in the region. PRM funding in FY 2009 enabled support of programs in the areas of protection, food aid, basic shelter, sanitation, health care, subsistence income generation, and psycho-social support. PRM's funding also helped to ensure that IDPs received full access to Colombian government services, such as health care, education and legal services. PRM funding of the ICRC also supported the dissemination of information on international humanitarian law to the Colombian military and police, health care workers, and illegal armed groups.

A regional Refugee Coordinator based in Bogotá oversees PRM's IDP, conflict victim, and refugee programs in Colombia and nearby countries (Ecuador, Venezuela, Costa Rica, and Panama) and works with UNHCR, ICRC, and other IO and NGO partners in support of these programs.

PRM also provides direct support to UNHCR's regional operating budget to enable its protection work and capacity-building in the region. UNHCR programs promote a comprehensive protection response for IDPs in Colombia and refugees elsewhere in the region. UNHCR helps Colombia to close the protection gap and strengthen national mechanisms to: 1) prevent displacement; 2) foster assistance to IDPs; and 3) seek durable solutions.



## USAID

USAID provides non-emergency support following the first 90 days of internal displacement. In FY 2009, USAID's IDP programs directly benefited 276,148 IDPs and other vulnerable people. They received assistance in the areas of income generation, housing, health care, education, food security, and community strengthening. USAID also significantly strengthened its support for civilian victims of the conflict and other persons with disabilities during FY 2009. Particular attention continued to be devoted to the needs of women, Afro-Colombian, and indigenous populations, who are disproportionately impacted by the conflict (see annex to this report regarding Support to Afro-Colombian Communities for more details).

Colombia has the basic legal, policy, and regulatory frameworks in place to protect and expand the rights of IDPs. However, ensuring they are observed and implemented effectively is challenging given fiscal and institutional capacity constraints. Working with governmental and non-governmental institutions at all levels, technical assistance is provided in many of the areas identified above. Nevertheless, particular emphasis was placed on land reform, and improving vulnerable populations' access to financial services and economic opportunities. USAID also strengthened Colombia's IDP registration system and functionaries' understanding of and compliance with IDP laws and regulations. For example, work was undertaken to help municipal governments better monitor resources.

In an initiative that began in 2007, USAID is bringing additional support to IDPs in priority, conflict-prone areas recovered from insurgents and drug-traffickers and where the GOC has only recently reestablished a firm state presence. Colombia's National Consolidation Plan is supported by U.S.-Colombia Strategic Development Initiative (CSDI) programs in four of the 17 areas identified by Colombia for priority attention. Improving their ability to engage these communities and establish social services for vulnerable groups (including IDPs) also meets the U.S. government policy goal of "nationalization" by creating institutional capabilities that will continue after U.S. government assistance ends.

### (B) Estimated Timetable for Activities in FY 2010

In FY 2010, PRM's programming for Colombia is projected to be approximately \$34.7 million. PRM expects to provide direct emergency humanitarian assistance to IDPs in Colombia and refugees in the region. PRM will also provide support for the socio-economic integration of Colombian refugees in

the region as permitted by local conditions. USAID plans to provide support services to 168,499 additional IDPs and other vulnerable people in 2010, although levels of violence and security are difficult to predict. This number includes individuals living in typically impoverished receptor communities.

(C) Delays in Meeting Timetables Established in the April 2009 Report

N/A

(D) Assessment of Steps to be Taken to Correct Delays

N/A

**JUDICIAL REFORM****(A) Summary of Activities****Department of Justice (DOJ)**

Since the inception of Plan Colombia, DOJ, under its Justice Sector Reform Program (JSRP), has been involved in an intensive technical assistance program to reform and strengthen the Colombian criminal justice sector. DOJ's assistance in FY 2009 continued to contribute significantly to Colombia's efforts to establish a more effective and sustainable criminal justice system in order to provide improved security to the Colombian public; develop capable justice sector personnel, including prosecutors, judges, investigators, forensic experts, and protection agents; strengthen the capacity to effectively investigate and prosecute criminal and terrorist organizations; protect witnesses, judicial officers and victims; help identify and return the remains of missing persons; and develop a more transparent and equitable criminal justice system, effectively diminishing impunity and increasing accountability of justice sector and public officials.

These efforts require continued intensity to ensure further strengthening of the justice system not only in major cities, but also in smaller towns and municipalities, and most importantly, in areas still in conflict due to illegally armed groups. In addition, these efforts are essential to continue to strengthen our bilateral law enforcement relationship with increasing success in joint criminal investigations and efforts to combat criminal and terrorist organizations.

DOJ's justice sector reform programs have been focused in six major fields:

- Implementation of the New Criminal Procedure Code and Accusatory System;
- Human Rights Investigations and Prosecutions;
- Justice and Peace Investigations and Prosecutions;
- Specialized Training in complex areas of criminal law, with particular focus on organized crime, homicides, and sex crimes;
- Forensics; and
- Protection Programs.

### 1. Implementation of the New Criminal Procedure Code and Accusatory System

In 2002, Colombia began a historic and dramatic shift in its criminal justice system, changing the country's Constitution to mandate a transition to an accusatory system. The following year, a Constitutional Commission drafted and presented a new CPC to Colombia's Congress, which passed the new Code. President Uribe signed it into law in 2004. This new CPC introduced an accusatory criminal justice system which was implemented gradually throughout the country over a four year period, 2005-2008. Colombian prosecutors, working closely with investigators, now collect evidence, bring accusations, and present their cases in public oral proceedings. They are confronted by a defense attorney, and decision of guilt or innocence is determined by an impartial trial judge.

Considering the relatively limited period of implementation and the challenges of demobilization of paramilitary organizations, continued confrontation with guerilla groups, serious criminal activity, and human rights concerns, the results of the transition have been remarkable. Criminal cases are being resolved in significantly less time (weeks and months for resolution instead of years). Also, results indicate that over sixty percent of cases formally charged are resulting in convictions, compared with three percent under the old system.

Over the transition period (2005-2008), DOJ conducted intensive training courses for over 50,000 Colombian police, prosecutors, judges, forensic experts, and protection personnel in order to establish a basic understanding of their role under the new code and accusatory system. In FY 2009, DOJ trained over 15,000 justice sector personnel. Training included 76 courses for investigators involving over 11,000 investigators and street officers in witness interviewing techniques, anti-corruption, forensic interviewing, leadership, court room testimony, conflict resolution, demonstrative evidence, financial crimes, undercover operations, and crime scene management. In 127 courses, DOJ trained over 3,000 prosecutors in the basic understanding of the new code and accusatory system, as well as focused areas of prosecution skills, such as evidence, charging decisions, prosecution strategy and witness interviews. This also included training 182 judges in the new system. Through the United States Marshal Service (USMS), over 350 protection personnel received training in witness protection; prosecutor, judge and dignitary protection; courthouse and court room security; and threat investigations and prosecutions.

Throughout 2009, DOJ conducted "follow up" training countrywide to re-enforce the above mentioned skills and concepts and a monitoring of the

implementation of the new accusatory system. As part of this effort, DOJ, working with Colombian prosecutors and the Colombian Prosecutor General's Office, developed an extensive and intensive training curriculum which will serve as the basis for a permanent training capability of Colombian prosecutors in the accusatory system. In doing so, DOJ has developed not only a training curriculum but prosecutor trainers together with the Prosecutor General's training academy. DOJ similarly has developed an extensive training curriculum as well as a strong cadre of police trainers for the Colombian National Police. Finally, DOJ is likewise developing protection curriculum for the Colombian National Police's protection school.

2. Human Rights Investigations and Prosecutions (see Annex C)
3. Justice and Peace Investigations and Prosecutions (see Annex D)
4. Specialized Training in areas of Criminal Law

Throughout 2009, DOJ presented training courses throughout Colombia in complex criminal areas such as financial investigations; complex homicide investigations, including extrajudicial killings; sex crimes, and the development of a sex crimes unit in Bogotá; use of demonstrative evidence; use of forensic evidence; recognizing evidence at crime scenes; crime scene analysis and processing; and interviewing techniques and strategies. In addition, with the growing concern with respect to emerging criminal organizations (Bandas Criminales or BACRIM), DOJ began developing training and technical assistance for the prosecutor and investigator units focusing on this phenomenon.

These training programs included prosecutors, investigators, and forensic experts in the judicial districts around the country, as well as the Colombian Prosecutor General's specialized task forces (national and regional) in asset forfeiture, money laundering, narcotics, anti-corruption, human rights, and Justice and Peace, with particular emphasis on the last two. This program involves training and technical assistance, equipment, forensic development, and operational support to enhance investigative and prosecutorial capability and effectiveness. These trainings involved over 2,000 prosecutors, investigators, and forensic experts.

In 2009, DOJ's anti-corruption activity in Colombia included training over 300 police officials in ethics and values, worldwide corruption tendencies, the

conduct of corruption investigations, investigative tools, legal aspects, and case studies.

DOJ completed a model witness-victim assistance office in Bogotá which in its first year of operation served over 1,000 victims (focused only on homicides) and assisted the victims in attending over 600 judicial proceedings related to their cases. This success will be duplicated in other major cities, as well as using the procedures to enhance the extensive victim work of the Bogotá sex crime unit as well as the Justice and Peace and Human Rights Units. This office and procedures utilized are based on those used in the 94 United States Attorney's Office in the United States. DOJ is using U.S. witness victim coordinator experts to assist Colombia in developing these offices.

## 5. Forensics

The DOJ Forensic Program continued to provide assistance to Colombia with the enhancement of its forensic laboratories and technicians in 2009. The exhumation of mass grave sites and identification of victim remains through DNA analysis continued to be a major emphasis of this program, but also use of forensics in homicide and sex crime cases. Colombia has the most sophisticated forensic capability in Latin America. DOJ's forensic program employs a five-point strategy to enhance Colombia's forensic capability in the investigation and prosecution of violent crimes, such as murder, rape, assault, kidnapping, and human rights violations. This has included the installation and donation of the DNA CODIS database; the installation of the Integrated Ballistics Identification System (IBIS); training and equipment for forensic imaging and questioned document examination (QD); the upgrade of the Automated Fingerprint Identification System (AFIS); and the development of an inter-agency connectivity and information-sharing, wireless network between police and prosecutors. This forensic capability establishes a foundation critical to the investigation and prosecution of cases handled by the Human Rights and Justice and Peace Units of the Prosecutor General's Office, as well as an anticipated basis for sectional prosecutor offices around the country, particularly in the major cities facing growing homicide rates connected to the activity of emerging criminal organizations.

DOJ presented 81 forensic training courses in 2009 for 1,720 forensic experts and investigators in areas such as forensic anthropology, crime scene processing, forensic dentistry, odontology, bone trauma and osteology, forensic

interviews, and testimony in court proceedings. The training in court proceedings is critical in training forensic personnel for the accusatory system.

During 2009, the Justice and Peace Unit exhumed 926 victims for a total of over 2,000 since 2006. The remains of 554 victims were turned over to their families in 2009, as well as ten "symbolic" returns – where the murder was confessed but the body not found.

#### 6. Protection Programs

In 2009, DOJ's comprehensive judicial security program, administered by the USMS, focused principally on the development of the Colombian Prosecutor General's Witness Protection Program, but also training in protection of prosecutors, judges, and dignitaries; courtroom and courthouse protection; and initiated training in the area of threat investigations and prosecutions. Witness protection training involves three intensive weeks based on similar training provided in the United States to USMS personnel, including the following topics: witness relocation planning, arrest of a protected witness, maintenance guidelines for protected witnesses, motorcade operations and foot formations, mock attacks, firearms drills, emergency evacuation drills, and explosives.

Training in the protection of dignitaries, prosecutors and judges involves the same intensive program as that of witness protection with, however, the focus on official protection as opposed to that of civilian witnesses. Likewise, the courtroom and courthouse protection program also involves similar intensive training with an emphasis on the particular concerns of activity inside and outside a courtroom, during proceedings, transportation of prisoners, and building security concerns. The threat investigation and protection training involves strategy, identification and analysis of threats, evidence of threats, and possibilities of developing criminal cases with threat evidence. All the protection assistance mentioned above also includes a focus on developing programs, either within the Colombian Prosecutor General's Office or the protection school of the Colombian National Police to ensure a permanent and ongoing viable Colombian program.

#### (B) Estimated Timetable for Activities in FY 2010

During FY 2010, DOJ plans to continue to monitor the implementation of the new accusatory justice system and focus on areas in need of adjustment and follow-up technical assistance, including specialized training. To that end, DOJ

will train 3,000 prosecutors, 400 judges, 300 forensic experts, 5,000 police, and 400 protection personnel in 2010.

Other areas of DOJ support in 2010 will include:

- Intensifying assistance to Justice and Peace and Human Rights Units;
- Enhancing forensic capabilities, particularly in the area of exhumations and victim identification;
- Improving judicial management of preliminary hearings and trials;
- Enhancing the witness-victim assistance office in Bogotá and duplicating it in other major cities, as well as assisting such efforts in the Bogotá Sex Crime Unit, as well as Human Rights and Justice and Peace Units;
- Enhancing the effectiveness of the Prosecutor General's witness protection, prosecutor protection, and threat investigation and prosecution programs by increasing the number of protected individuals, improving policy and procedures, locating and developing secure sites, and enhancing regional offices;
- Strengthening the Colombian Police judicial protection and court security programs;
- Improving property seizure inventory and forfeiture processes;
- Increasing the use of forensic evidence in investigations and prosecutions, including the development of additional exhumation teams;
- Intensifying training in complex criminal areas such as homicides, money laundering, asset forfeiture, organized crime, and public corruption; and
- Developing an assistance program to focus specifically on the investigation and prosecution of emerging organized criminal organizations.

(C) Delays in Meeting Timetables Established in the April 2009 Report

N/A

(D) Assessment of Steps to be Taken to Correct Delays

N/A



## USAID

### (A) Summary of Activities

USAID is working with DOJ to strengthen the rule of law and increase access to justice for underserved populations. USAID's judicial reform efforts have recently shifted to focus more on rural, conflict-affected areas of the country, to increase access to justice for the most vulnerable populations, including Afro-Colombians, indigenous communities, victims, and women.

USAID assistance helped design and implement the new CPC and the oral accusatory process, moving Colombia toward a more effective, responsive, and transparent criminal justice system. The new CPC was implemented nationwide as of January 1, 2008, and makes justice more swift and effective. In total, USAID has trained 1,832 judges, 2,727 public defenders, and 2,613 law students and legal clinic practitioners, and 590 private attorneys.

In FY 2009 alone, USAID trained 736 judges, 488 public defenders, and 1,490 law students. USAID assistance also helped to establish seven new Public Defenders' Offices in 2009. In addition, the United States helped Colombia to install twelve virtual courtrooms in post conflict areas of Colombia, linking judges in urban centers with police and officials in isolated municipalities.

To increase access to justice for the most underserved and vulnerable Colombians, the USAID-supported network of 60 Casas de Justicia (Justice Houses) and legal clinics handled 1.3 million cases in 2009. They have handled over nine million cases since their establishment in 1995. This initiative provides a low cost local venue for criminal and civil cases as well as alternative dispute resolution services and brings judicial system benefits to many long-neglected regions of the country.

In 2008, the Colombian Ministry of Interior and Justice signed a Memorandum of Understanding (MOU) with the United States agreeing to assume the construction costs of 10 new regional justice houses during the period 2008-2011, emphasizing its commitment to ownership of the program and sustainability. The new regional Justice Houses will each consist of a principal building located in a medium sized municipality and approximately four to five satellite houses to be located in smaller surrounding municipalities. Six regional Justice Houses have been built.

In addition, in FY 2008 USAID obtained approximately 75 percent of the required funding from the GOC and private sector to construct three new justice houses in rural, conflict affected areas of Colombia. Under the terms of the MOU that the Ministry of Interior and Justice signed with USAID, it anticipated that the GOC will contribute approximately \$8.5 million for the construction of new regional justice houses in FY 2009 and FY 2010.

USAID has also expanded alternative dispute resolution (ADR) services by training over 3,298 conciliators, an essential component to increasing access to effective, community-based conflict resolution in areas with limited access to formal justice mechanisms. In FY 2009 alone USAID trained 498 conciliators in equity and justices of the peace and community justice sector facilitators.

**(B) Estimated Timetable for Activities in FY 2010**

During FY 2010, USAID plans to continue support for the justice sector and meet or exceed the following targets:

- Training over 2,000 judicial operators including public defenders, judges, municipal leaders, law students, and legal clinic practitioners on their roles in the new accusatory system.
- Establishment of five new Regional Justice Houses USAID and Colombia are co-financing the construction of the new Regional Justice Houses.
- Establishment of four virtual courtrooms in remote, conflict-prone areas of Colombia, and five hearing courtrooms. The virtual courtrooms provide satellite internet communication between difficult-to-access rural locations and central courtrooms, allowing the judiciary to access previously unreachable areas.

**(C) Delays in Meeting Timetables Established in the April 2009 Report**

N/A

**(D) Assessment of Steps to be Taken to Correct Delays**

N/A

## THE PEACE PROCESS

### (A) Summary of Activities

USAID/Colombia's Demobilization and Reintegration Program supports five components of the Colombian DR process: 1) monitoring and legal processing of ex-combatants; 2) verification of the DR process; 3) reparations and reconciliation for victims; 4) reintegration of adult ex-combatants; and 5) reintegration of child ex-combatants. The United States committed \$16.7 million of FY 2009 funds for DR assistance.

In FY 2009, working with Colombia's Office of the Presidential Advisor for Reintegration and the Colombian Family Welfare Institute, USAID reached over 1,788 ex-combatants, including children, with support for sustainable social and economic reintegration. It continued technical and financial support of the GOC's expanded network of 31 reintegration service centers throughout the country, improving the monitoring of nearly 40,583 demobilized combatants.

During FY 2009, USAID continued to support the independent verification of the DR process in Colombia through assistance to the OAS Colombian Mission to verify the effective dismantling of the paramilitary structures and the reintegration of the paramilitary ex-combatants. This assistance focused on strengthening the Analysis/Reporting Unit of the OAS Mission and supporting expanded community work of the regional offices.

Support for victims increased significantly in FY 2009. USAID reached and supported 23,177 victims of the armed conflict through psychosocial support, health and legal services, technical assistance, vocational skills training and income generation projects working with the National Reconciliation and Reparations Commission, the Justice and Peace Unit of the Office of the Prosecutor General and other civil society entities in providing orientation, counseling and legal assistance, by creating an inter-institutional database to track victims' cases and by working with two victim communities to rebuild social institutions and promote peace. Additionally, in FY 2008, Colombia enacted a new decree regarding the Administrative Reparations process in order to provide

more timely assistance and reparations to victims. USAID provided technical and logistical support to the implementation of this decree.

As of January 2010, the Prosecutor General's Office has registered over 264,000 victims, 2,388 graves have been found with the exhumation of 2,901 victims' remains, 900 bodies have been identified, and 786 of them have been returned to their families. However, there are some bottlenecks in the system that require additional technical support, such as laboratory materials and a greater number of public lawyers to represent victims.

USAID continued to support the Colombian National Family Welfare Institute in the policy and program mandate to protect former child combatants. In FY 2009, 326 children entered the program, bringing the total number supported to 4,315 at the end of the fiscal year. Program efforts in 2009 emphasized prevention of forced recruitment and family reunification components.

**(B) Estimated Timetable for Activities in FY 2010**

During FY 2010, USAID will continue to provide technical assistance, training and implementation assistance to improve the capacity of GOC and public/private sector initiatives in support of DDR.

**(C) Delays in Meeting Timetables Established in the April 2008 Report**

N/A

**(D) Assessment of Steps to be Taken to Correct Delays**

N/A

**Department of Justice**

In 2009, DOJ continued to provide assistance to the Colombian Prosecutor General's Justice and Peace Unit (JPU), which is tasked with investigation, interviews, and prosecutions under the Justice and Peace Law. This assistance involved donations of equipment, including audio-visual equipment for the "versión libre" (proffer/confession) rooms at the three Justice and Peace offices in Bogotá, Medellín, and Barranquilla; closed circuit rooms for victims; vehicles, including armored vehicles, for Justice and Peace staff; and extensive hardware and software development for a database. Intensive training was also provided for database and computer training to improve data entry, analysis, and computer use to facilitate investigations. In addition, DOJ conducted 15 training sessions for JPU investigators and prosecutors in investigation strategy, victim and witness

interviews, charging decisions, recruitment of minors, sex crimes, and international human rights law.

Through 2009, the JPU conducted over 2,000 proffer statements (confessions), including those of 25 senior leaders of the AUC. Over 35,000 crimes have been confessed to by paramilitary members as of January 2010, including more than 30,000 homicides; over 6,000 investigations have been sent to the regular criminal justice system; over 2,900 victim remains have been recovered; and more than 280,000 victim statements have been received.

In addition, DOJ has facilitated the Colombian Prosecutor General's Office in continuing its interviews and proffer sessions with AUC leaders extradited to the United States, as well as providing assistance to the Colombian Supreme Court to conduct live examination proceedings through video transmission from the United States.

**(B) Estimated Timetable for Activities in FY 2010**

In 2010, DOJ will continue to intensify its assistance to the JPU. This assistance will involve training, equipment, operational funds, forensics, and data base development, as well as office and hearing room enhancement and security.

**(C) Delays in Meeting Timetables Established in the April 2009 Report**

N/A

**(D) Assessment of Steps to be Taken to Correct Delays**

N/A

**HUMAN RIGHTS**

**USAID**

**(A) Summary of Activities**

The purpose of the program is to support Colombian and civil society efforts to strengthen respect for and adherence to human rights in Colombia. The program strengthens state accountability; improves government capacity in human rights policy; fosters a culture of human rights; strengthens civil society's role in promoting public policy, dialogue and accountability; provides independent monitoring of the human rights situation; and promotes victims' rights to truth, justice, and reparations. Key cross-cutting issues include civil society and community mobilization.

To address concerns about human rights abuses, USAID continued to support and improve the Early Warning System (EWS) operated by the Office of the National Ombudsman, supporting 22 regional offices whose main function is to prevent massive human rights violations. From June 2001 through the end of FY 2009, this network had issued a total of 468 risk reports, which generated 114 GOC responses, thereby preventing numerous human rights violations (although an exact number cannot be known).

The Human Rights Unit of the National Police was strengthened through: providing logistical support to Human Rights Units regional police offices; offering strategic technical assistance on a human rights policy, international norms, and national and international jurisprudence on the use of force and weapons; and improving dialogue between the National Police and non-governmental organizations.

USAID has supported the Protection Program of the Ministry of Interior and Justice from 2001 to September 2009, which has trained 3,084 at-risk persons (trade unionists, journalists, political candidates, and civil society leaders) on preventive security measures. In 2009, 196 people were trained through seven USAID-financed workshops held in five cities throughout the country. The Ministry of Interior and Justice funded ten additional workshops held in six cities, which trained 361 at-risk people. USAID also supported the creation of a

protection program for victims under the Justice and Peace Law. Another 1,580 people received training through local and regional workshops on prevention-related topics, including formulation of prevention plans, preparation of contingency plans, risk analysis, etc.

The Ombudsman's Office received support related to its participation in the design and implementation of the National Education Plan on Human Rights and the Constitutional Justice Observatory. USAID also provided assistance to the Presidential Program on Human Rights and International Humanitarian Law and to the Ministry of the Interior and Justice for the formulation of the National Action Plan on Human Rights and International Humanitarian Law, and the departmental and municipal human rights action plans.

To strengthen civil society's role in promoting human rights, USAID awarded 32 grants totaling \$1.82 million to civil society organizations working on issues in the areas of public policy, advocacy, human rights monitoring, institutional strengthening rights of victims to truth, justice and reparation, and efforts to combat impunity, giving priority to organizations that represent the most vulnerable populations, such as indigenous and Afro-Colombian communities, peasant farmers, trade unionists, and women, among others.

USAID provided support to the UNHCHR's promotion of human rights reforms by advising Colombia on priority issues related to human rights; strengthening human rights observation, public information, and human rights promotion; providing technical assistance and support to State institutions; and strengthening civil society advocacy for human rights.

In 2009 USAID also initiated a project to disseminate the Ministry of Defense's National Policy on human rights and International Humanitarian law among Afro-Colombian and indigenous communities.

Additionally, USAID will provide technical and financial support to the dialogue process between the Lesbian, Gay, Bisexual, Transgender, and Intersexual (LGBTI) community, the National Police and civil society organizations, and establish mechanisms to monitor compliance with the commitments assumed by authorities to prevent the occurrence of police abuse. The program will sponsor an international event to share experiences from the dialogue between the LGBTI community and police authorities.

(B) Estimated Timetable for Activities in 2010

In FY 2010, USAID will continue the programs described above. USAID will begin/expand new activities to support and protect trade unionists and strengthen prevention strategies at the national level.

(C) Delays in Meeting Timetables Established in the April 2009 Report

N/A

(D) Assessment of Steps to be Taken to Correct Delays

N/A

Department of Justice (DOJ)

(A) Summary of Activities

The principal area in which DOJ, with funding from the State Department, provides human rights assistance in Colombia is through the Prosecutor General's Human Rights Unit (HRU). The HRU is tasked with investigating and prosecuting human rights violations by illegal armed groups in Colombia, the Colombian military, and other entities. DOJ, which began its assistance to this unit in 1999, provides extensive training, technical assistance, equipment, and operational support. This assistance has included the creation and enhancement of 15 regional units in eight cities outside Bogotá.

During 2009, DOJ provided training in 21 sessions to over 400 prosecutors, investigators, and judges in interview and investigation techniques, extrajudicial killing investigation, and prosecution, recruitment of minors, sex crimes, homicides, and international human rights law. DOJ also provided more than \$140,000 in equipment with additional acquisition of vehicles and armored cars pending.

As with the Justice and Peace Unit, DOJ forensic assistance is a critical part of support for the HRU. (See Annex C, Section on Forensics)

DOJ has also assisted the HRU in improving its efforts in the investigation of labor murders. The Unit had 69 convictions of 84 persons in labor cases during 2009. DOJ intensified its assistance to improve witness interview techniques, particularly in the delicate area of victim interviews, and to improve evidentiary



analysis and charging decisions. A particular focus of DOJ training and technical assistance has also been in the area of extrajudicial killings, involving investigation and prosecution strategy, military law, human rights law, logistical needs, charging decisions, and forensic evidence.

DOJ has worked with the Colombian Prosecutor General's National Director of Prosecutors to assist the Human Rights Unit and its regional offices through the designation of prosecutors in the 29 Sectional Prosecutor offices throughout the country to provide case support and assistance in handling the large volume of human rights cases.

**(B) Estimated Timetable for Activities in FY 2010**

In 2010, DOJ will intensify its assistance to the HRU, focusing specifically on regional units, labor violence cases, and extrajudicial killings. Training will include courses on the use of evidence, particularly forensic evidence and witness testimony; investigation and prosecution strategy; crime scene management; chain of custody of evidence; exhumation of human remains and use of evidence in prosecutions; more sophisticated use of the new accusatory system and Criminal Procedure Code; presentation of evidence and advocacy in court proceedings; improved use of the Criminal Code and charging decisions; investigation and prosecution of extrajudicial killing cases; threat investigations and prosecutions; and homicide investigations.

DOJ plans to assist in expanding office space, management structure, and logistical support for the 15 regional units, as well as the creation of six new regional units. DOJ will work closely with the Unit to develop the necessary coordination with the Colombian military and police to get timely information on crimes and transportation to crime scenes, particularly those in remote areas.

In 2010, DOJ will coordinate its assistance efforts with the Prosecutor General's witness and prosecutor protection program to support the Human Rights Unit. In addition, as part of its support for the Human Rights Unit, DOJ will work with the Fiscalía to develop a victim assistance program, which will provide support for victims in understanding the legal process, their critical role in providing testimony, and ensuring referral to social agencies for necessary social/psychological support. The development of this program will be based on the victim assistance program of the 94 U.S. Attorney's Offices in the United States. DOJ victim assistance experts will provide technical assistance in the development of this program.

(C) Delays in Meeting Timetables Established in the April 2009 Report  
N/A

(D) Assessment of Steps to be Taken to Correct Delays  
N/A

Department of Defense

(A) Summary of Activities

USSOUTHCOM is unique among regional military commands in having established a Human Rights Division to help bring human rights issues to senior level attention. The Human Rights Division ensures that all personnel assigned to Colombia on DoD orders, including military personnel, civilian employees, and contractors, receive human rights awareness education. The objective of this training is for all personnel to understand the need to support zero-tolerance policies and directives in this area, and to prevent and report violations.

USSOUTHCOM's financial and technical support in 2009 focused on four key lines of operation: 1) Operational Law, 2) Inspector General (Investigation and Internal Controls), 3) Military Justice Reform, and 4) Human Rights Awareness.

**Operational Law:** DoD support to Operational Law doctrine has been a key advance towards the protection of human rights and prevention of violations by Colombian Public Forces. DoD supported the development of the Operational Law Doctrine and Manual, by sponsoring (funding the venue and conference costs) a two-day Rules of Engagement/Rules for the Use of Force (ROE/RUF) conference in April that was held in Bogotá. DoD provided expertise and assistance from USSOUTHCOM Staff Judge Advocate and Human Rights Offices, as well as funding the travel and attendance of two internationally recognized U.S. legal experts, Harvey Rishikoff and Geoffrey Corn. Both provided extensive guidance and expertise as a key input to the development of ROE/RUF doctrine that was complemented by international military law expertise from the Canadian Military (Brigadier General Watkins). The Colombian Vice-Minister of Defense Sergio Jaramillo, and Colombian Army Commander General Freddy Padilla, took part in the conference discussions.

Educating military commanders and legal advisors on integrating human rights and international humanitarian law principles into operational planning has been key to this effort. DoD assessed the training of 80 Operational lawyers

deployed to the Brigade level for the first time in 2009. Additionally, DoD provided support for training in ROE/RUF. This was training that was requested by the Colombian Ministry of Defense. The bulk of the training was included in a Combatant Commander's Initiative Fund (CCIF) that was approved in April 2009, but was complemented by other DoD funds that supported seminars and workshops on the ROE/RUF in Paipa and Boyacá in January for twenty-five (25) individuals.

**Inspector General:** The Colombian Military Inspector General (IG) Office is the first line of investigation for allegations of military criminal or human rights violations. This function also provides internal controls for the discipline and legal behavior of the Colombian Military. DoD support focused on strengthening the capabilities of Colombia's Military Inspector Generals. DoD sponsored the legal training of 105 IG personnel in the legal principals of administrative discipline within the Colombian Military's formal disciplinary system (approximate total cost of \$35,000 USD).

**Military Justice Reform:** An efficient and transparent Military Justice system capable of adjudicating cases involving military misconduct is an essential element in the prevention of impunity. DoD support to these reforms has focused on facilitating collaborative investigation, case processing, and adjudication of cases between military and civilian justice systems, and plan development and implementation for transitioning to the new military justice accusatory system. To that end, DoD provided funding for training in the legal principles that focus on constitutional aspects of the accusatorial system, to include training for eight Colombian magistrates and prosecutors at the University of Externado in August. The course emphasized the fundamentals of oral trials to include the pretrial, trial, and post-trial phases. This training is crucial in the transition of the Colombian Military Justice system in accordance with constitutional law and parallel to a similar transition in the civilian system. Along with this support, DoD funded the training of 48 judges and prosecutors at the University of Nueva Granada in the months of March and April. The course covered the new penal military code, criminal theory, crimes of omission, criminal punishments, and the overall principals of the accusatorial system. DoD also funded exams administered by the University of Externado for eight Military Tribunal Magistrates to certify their qualification in the new system and to measure their legal awareness of the current jurisprudence of the Colombian system. In support of Colombia's Military Justice reform and efforts to learn the best practices from the region, DoD also contracted for the publishing of 500 copies (250 books/250 CDs) of a series of essays, at an approximate cost of \$9,000 USD, on different perspectives on Military Justice

Reform in different countries within the Americas entitled, "Military Penal Justice System Reforms in the Americas".

**Human Rights – Education and Training:** In FY2009, International Military Education and Training (IMET) funds supported the training of seven Human Rights Instructors at a total cost of \$29,480 USD. DoD funding to transform and strengthen Operational Law, Inspector General investigative and internal control capabilities, Military Justice, Human Rights awareness, and International Humanitarian Law has included remaining DoD Plan Colombia funding for Military Justice Reform, DoD CCIF funding, DoD Traditional Commander's Activities (TCA) Funding, and International Military Education and Training funds. Key supporting offices have included Southern Command Staff Judge Advocate and Human Rights Offices, Military Service Component legal specialists, civilian experts, the Defense Institute for International Legal Studies (DIILS), and other military training institutions. All of these efforts tie into the Human Rights Education and training focus of DoD support programs.

**(B) Estimated Timetable for Activities in 2010**

For 2010, the Colombian Ministry of Defense has requested USSOUTHCOM support in four major focus areas:

**Operational Law:** DoD will focus effort on continued support for the training of the Rules of Engagement and the Rules of the Use of Force (ROE/RUF) to the unit level, with a particular emphasis on training combat unit leaders, including non-commissioned officers, and on training the trainers, so that the training can be replicated without direct U.S. support throughout the entire military. Support will also include continued assistance with Operational Law Doctrine development, improvements and dissemination and the development of a professional corps of Operational Lawyers to advise commanders on the legality of military operations and the appropriate use of force in any given mission. This line of effort will serve to facilitate full compliance with international humanitarian law and human rights principles. Through the Office of the Secretary of Defense program, Defense Institutional Reform Initiative (DIRI), DoD will support incorporation of new doctrine and ROE/RUF into formal military professional education and training institutional curricula. DoD will execute DoD, FMF, and IMET funding for these initiatives.

**Inspector General:** DoD will support military disciplinary reform, investigative capabilities, and internal controls; strengthen and support the

professionalism and training of the Inspector General Corps; and support personnel through U.S. military training, exchanges, and regional seminars. Technology and training for caseload management and tracking to enable more efficient processing of cases and clearing of current case backlogs is also a critical project for which DoD resources will be requested. This project will provide benefit across the military justice spectrum to include Operational Law and Military Justice, as well as greater cooperation processing of cases with the civilian justice system. Additionally, this technology will assist the internal control function of the IGs to analyze trends of misconduct and potential Human Rights violations, in order to address systematic training or command problems that are leading to the trends. DoD will execute DoD, FMF, and IMET funding for these initiatives.

**Military Justice:** DoD will support the Colombian government's programs to reform the military justice system. Programs will focus on supporting a professional Military Justice Corps, will include training in preparation for the transition to an adversarial legal system, and will incorporate concepts such as introducing evidence, cross-examination of witnesses, and oral advocacy. Support will focus on continued education on current legal issues affecting the existing military justice system, training in the new accusatorial system, and other reforms supported by the United States, to provide greater legitimacy and efficiency to Colombia's military justice system. Additionally, DoD support would assist the Colombian Ministry of Defense acquisition of technology and training for caseload management and tracking, to enable more efficient processing of cases and clearing of current case backlogs. This project will benefit across the military justice spectrum to include Operational Law and Inspectors General, as well as greater cooperation in processing of cases with the civilian justice system. DoD will execute DoD, FMF, and IMET funding for these initiatives.

**Human Rights Education and Training:** DoD, FMF and IMET funding will be used to support the integration of Human Rights doctrine into formal curriculum at all levels of Colombian Professional Military Education as well as initial entry training for all military services (but starting with the Army's JEDOC or Doctrine, Training and Education Command), Human Rights School, International Operations School, and specific support to the Colombian War College Human Rights Masters program. This line should include funding for international exchanges directed at the exportation of Colombia's lessons learned in Human Rights to other nations in the region.

**(C) Delays in Meeting Timetables Established in the April 2009 Report**  
N/A

**(D) Assessment of Steps to be Taken to Correct Delays**  
N/A

**SUPPORT TO AFRO-COLOMBIAN COMMUNITIES  
AND OTHER MARGINALIZED GROUPS**

Colombia has the second largest community of African descendants in Latin America, after Brazil. While the 2005 Colombian census indicated an Afro-Colombian population of 4.7 million (or 10.6 percent), Afro-Colombian groups assert the total to be closer to 10 million (or 25 percent). Approximately 76 percent of Afro-Colombians live in the coastal areas of the Caribbean and Pacific regions, and the vast majority face conditions of extreme poverty and social exclusion.

According to the United Nations, 82 percent do not have access to basic health and education services. Life expectancy for Afro-Colombians is 65.6 years, compared to a national average of 73.8 years. The average infant mortality rate for Afro-Colombians is 45/1000 births versus the national average of 23/1000 births. Afro-Colombians have endured generations of social and economic marginalization and are among the neediest groups in the country. Colombia's indigenous groups, while facing similar challenges, account for two percent of the country's population. In 1991, Colombia certified specific Afro-Colombian communities as autonomous, ceding large tracts of land to community councils to administer.

Since the inception of our support for Plan Colombia in 2000, the United States, in partnership with Colombia and Colombian civil society, has worked extensively with Colombia's Afro-Colombian populations through programs focusing on alternative development, including local governance, justice strengthening, human rights, political parties, internally displaced persons, education, micro-enterprise, and demobilization and reintegration.

**Alternative Development:**

In order to foster viable alternatives to illegal drug production, USAID has conducted social and economic development projects with Afro-Colombian families, community councils, and municipalities. Activities include agricultural and managerial training, entrepreneurial training, marketing, forestry activities and reforestation, social infrastructure, and local governance strengthening.

**Local Governance:** USAID has supported the National Association of Mayors of Municipalities with Afro-Descendent Populations (AMUNAFRO) for over four years. With USAID assistance, the Association is now providing technical assistance to its member municipalities. In addition, USAID programs support the economic, political, and organizational strengthening of community councils and foster stronger relations between the councils and municipal governments.

**Forestry:** USAID supports forest harvesting projects with several community councils. Through these projects, Afro-Colombian families are able to establish natural forestry community enterprises, develop sustainable forestry management plans, and provide technical assistance in wood processing and marketing.

**Entrepreneurial Strengthening:** USAID offers technical assistance in the form of business plan evaluations for productive associations, marketing, entrepreneurial, and productive strengthening for Afro-Colombian organizations, and capacity-building for small and medium enterprises, enabling them to respond to growing market challenges.

**Productive Ethnic Territories Program (TEP):** A congressional directive was included in the Explanatory Statement accompanying the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (Division J, P.L. 110-161), directing USAID/Colombia to implement economic development activities in Afro-Colombian and indigenous communities. After extensive consultations with Colombia, USAID decided that a regionally-focused strategy would have a lasting economic impact in targeted communities. Economic development does not come in a vacuum; it depends upon a number of factors unique to each community. Therefore, all activities carried out pursuant to this congressional directive are composed of three pillars – (i) organizational strengthening, (ii) food security, and (iii) income generation activities. All activities are tailored to the specific needs of the partner community, which are jointly identified with the communities and local authorities.

In addition to complying with the three pillars mentioned above, all activities must meet the following criteria:

1. Existence of the planned activity within the local or departmental development plan, ethno-development plan (for Afro-Colombian communities), or life plan (for indigenous communities).



2. Prior consultations with partner communities.
3. Geographic location in priority TEP zones.

Between July 2008 and January 2010, 119 participatory processes have been conducted with communities; local, regional, and national government representatives; and the private sector. Thirty eight activities have been implemented, covering 95 community councils and 29 indigenous reservations in 39 municipalities. Almost 18,000 families are benefiting from this initiative, and 68 percent of USAID TEP resources are directly implemented by Afro-Colombian and indigenous community-based organizations.

**Oil Palm:** Although oil palm is an important alternative development crop, it has been surrounded by controversy. Some media reports and NGOs have recently noted three issues. First, the reported involvement of paramilitaries in leasing and/or buying land use rights of lands held by Afro-Colombians as collective territories in order to plant oil palm. Second, the growth in oil palm production has been closely correlated with violence over land rights and a surge in demand for biofuels derived from oil palm will further perpetuate this. Thirdly, some oil palm processing companies are not consulting community leaders before establishing new plantations.

In the specific case of Jiguamiandó and Curvaradó, where land was fraudulently and forcefully taken away from Afro-Colombian communities, the GOC has made some efforts to rectify the situation and return the land to such communities. Much remains to be solved in order to effectively return the land to the communities, as both the security situation and the economic interests tied to that land are complex issues that need the articulation of several GOC entities.

USAID has not supported entities directly or indirectly related to these activities. To be eligible for USAID support, all proposed projects undergo a thorough background and land titling check. In addition, consultations with business owners, associations, and community leaders are conducted. USAID is working with Colombia and Colombian NGOs to identify ways to strengthen the capacity of communal land representative councils to ensure that they can better manage communal land use issues and represent themselves effectively on policy development.

**Democratic Governance:**

USAID has provided direct assistance to Afro-Colombian community councils, municipalities, and grassroots organizations through programs that build the capacity of political parties, political institutions, and civil society organizations and improve the quality of and access to justice and human rights.

**Justice Strengthening:** Justice Houses benefit Afro-Colombians and other ethnic minorities by providing access to government services. Justice Houses inform community residents about their rights, prevent crime, fight against impunity, and provide conflict management and dispute resolution services. In addition, USAID supports Afro-Colombian organizations to strengthen ancestral and communal justice alternatives in Afro-Colombian territories.

**Human Rights:** USAID has assisted Afro-Colombian organizations to formulate plans for a development agenda; supported organizations dedicated to the promotion and protection of Afro-Colombian rights and interests; analyzed the Colombian government's compliance with Law 70 which guarantees Afro-Colombian rights; and fostered the development of Afro-Colombian women's organization networks. USAID has also supported projects that strengthen the ability of social organizations to prevent and respond to human rights violations.

**Political Parties:** USAID is supporting the development of a more transparent, inclusive, and representative political party system, by strengthening the effective presence of national organizations of political parties in marginalized regions of Colombia. Part of this effort involves assistance for the Afro-Colombian Congressional Caucus, which was launched in September 2006.

**Regional Governance Consolidation Program (RGCP):** This program benefits Afro-Colombians in the departments of Chocó, Cesar, and Norte de Santander. Through RGCP, USAID works with Colombia and civil society to expand state presence and enhance citizen participation, governmental accountability, and transparency in areas that have been particularly hard hit by violence.

**IDPs:**

USAID assistance for internally displaced persons and vulnerable groups, including Afro-Colombians, has focused on: vocational training and job placement, development of small businesses, strengthening community infrastructure,

provision of housing, education and health services, and humanitarian assistance. USAID has also provided institutional strengthening for community councils and the GOC, thereby linking local, regional, and national institutions.

**Provision of Social Services:** USAID provides integrated assistance for Afro-Colombians, including health services, housing assistance, increased access to education, income generation programs, and food security activities in order to improve the quality of life of Afro-Colombians.

**Scholarships and English Language Training:** USAID has supported the Martin Luther King English Fellows Program, which provides English language training for accomplished, Afro-Colombian university students from low-income backgrounds. In addition, USAID co-funds the Afro-Colombian Leadership and Scholarship Program with Colombia, enabling emerging Afro-Colombian leaders to attend graduate school in the United States.

**Demobilization and Reintegration:**

USAID conducted a peace and reconciliation project benefitting Afro-Colombian communities in Buenaventura. The project was successful in integrating Afro-Colombian cultural identity into conflict resolution and community development. In addition, USAID is providing education services and technical assistance to increase citizen participation and help reintegrate child soldiers into their host communities.

