

Duque's War in Colombia: High Stakes For UN, OAS, and Biden Administration as Human Rights Crisis Spins Out of Control

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Colombia is at a crossroads that has wide-ranging implications for its people and for U.S. policy across the region. The Inter-American Commission on Human Rights (IACHR), the specialized human rights monitoring commission of the Organization of American States (OAS), recently completed an unusual emergency three-day working visit to Colombia on June 10. The initial observations and recommendations, based on documentation and testimonies obtained as a result of intensive meetings with leading human rights NGOs as well as government officials, will be released soon. Meanwhile United Nations High Commissioner for Human Rights Michele Bachelet has reiterated calls for dialogue and respect for human rights amid Colombia's mounting violence, which threatens to undo Colombia's historic 2016 U.N.-supervised peace accords.

Human Rights Watch recently described the country's human rights crisis – the most serious in its recent history – as “grave.” Dozens of people have been killed and more than 1,000 injured, including many with serious lesions to their eyes and loss of sight due to the type of projectiles being used by police. At least three police officers have been charged with murder. Thousands of citizens have been detained, disappeared, or subjected to gender-related and sexual violence. Human rights defenders and media are continually targeted. Indigenous and Afro-Colombian activists are being killed, as in the case of the rapper known as Junior Jein.

In this context, Colombian President Iván Duque initially resisted the idea of an IACHR presence entirely. Ultimately he relented, but insisted that it be downgraded from the full-fledged mission that was originally proposed. More than 650 national and international human rights organizations and defenders had requested the presence of the IACHR in response to his administration's increasingly militarized response to widespread protests across much of the country. Government forces have waged a

bloody, concentrated campaign of repression in key centers of the popular uprising, which began with a national strike (*paro nacional*) on April 28, initially over taxes, but eventually broadening to oppose government failures in the pandemic, longstanding corruption, and police abuses.

The rebellion in one of the world's most unequal societies has been energized by almost two months of similarly unprecedented, uninterrupted protests in every region of Colombia, from the Andes to the Caribbean. The Colombian government crackdown, in turn, has occurred in major cities such as Cali, where there have been more than 20 deaths.

The stakes are high for many international players in Colombia. The U.N. recently expanded its role overseeing the faltering implementation of the peace accords, and the country has had a longstanding strategic alignment with the United States since the Cold War, most recently in the context of the drug war.

The Biden administration has largely continued to support Duque, even as pressure mounts in the U.S. Congress and internationally for accountability for the increasingly widespread pattern of serious human rights violations. Duque supporters, including among conservative analysts in the United States, justify their backing by arguing he provides a bulwark against the supposed threats from what they characterize as a rising leftist tide in the region. The Biden administration's critical stance towards current regimes in Venezuela, Cuba, Nicaragua, Bolivia, and El Salvador contrasts palpably with its equanimity on equivalent or worse behavior by leaders in Colombia, Guatemala, and Haiti.

Colombia has long been a strategic partner of the United States in Latin America and in the Global South more generally. Since 2013, Colombia has been NATO's "first and only global partner in Latin America" (along with a handful of others elsewhere such as Afghanistan, Iraq, and South Korea). Colombia also has been the single largest recipient of U.S. military and police aid in Latin America, in a role analogous to that of Israel and Egypt in the Middle East. This has included Colombia's positioning to help contain perceived threats elsewhere in the region, such as in Cuba, Central America, and most recently Venezuela, Bolivia, and Ecuador (until the recent victory of a U.S.-backed center-right presidential candidate there).

Social and Economic Inequality Fuel Protests Across the Region

Peru, too, has just joined the list of regional policy uncertainties, with the apparent victory of a leftist opposition presidential candidate there. In Chile, a bottom-up constitutional reform process stands to challenge the traditional U.S. definition of its interests. Chile's likely reforms are the product of mass protests that share many commonalities with those in Colombia, including an emphasis on dismantling the constraints of 30 years of neoliberal hegemony in economic and social policy. The economic and social ravages of the Covid-19 pandemic have intensified already high levels of inequality in all three of these countries and sharply reduced expectations of a better future for youth and middle class sectors, all factors helping drive mass protest movements.

Until recently, Colombia, Peru, and Chile were among the most influential U.S. partners in the region. Now all of that has begun to shift, destabilizing longstanding U.S economic and defense policy assumptions. How will the Biden administration respond to increasing autonomy among key players that the United States has tended to rely upon for continued regional dominance?

In Colombia, what began as a national strike has become an embryonic national uprising, with millions of participants in what is now the world's leading pandemic rebellion. The original spark for the national strike was a tax reform proposal that threatened to exacerbate deep inequalities that were intensified by the Duque government's mishandling of the pandemic. Colombia has one of the highest death tolls and fatality rates in Latin America, and the economic effect of Covid-19 has been calamitous. The pandemic, in fact, cut short a massive previous wave of protests in November 2019, which coincided with others along similar lines in Chile, Ecuador, and Puerto Rico.

Duque's militarized response has stoked fears that the next scheduled presidential elections in May 2022 might be disrupted, or even delayed, since the current leader in the polls is a center-left candidate (Gustavo Petro) whom Duque has tried to link to the protest movement. Predictably, the repression has only served to inspire deeper, more widespread demonstrations, centered in part on the need to fully implement a broad

range of economic, social, and cultural rights first recognized regionally in Colombia's path-breaking 1991 constitution.

“Decolonial” Rethinking of Rights and the Nation-State

It was this constitution that laid the foundation for subsequent, sweeping constitutional reforms in the broader region that expanded human rights protections in Venezuela, Ecuador, and Bolivia. Other constituent assemblies along similar lines are emerging in Chile and Peru. These processes, together with 20 years of innovative case law from the Inter-American Court of Human Rights, have positioned Latin America in the vanguard of a broader “decolonial” rethinking of human rights, law, and the “refoundation” of the liberal conceptualization of the nation-state from the perspective of the Global South. This has deep implications for the kinds of alternatives needed to replace the decidedly neoliberal, Eurocentric schools of thought that still prevail among jurists, law schools, and legal institutions in the United States and Western Europe.

The current protests in Colombia are the country's largest, most diverse ever, deeply rooted among the country's most excluded sectors. These include urban youth, women, union activists, and movements grounded in Colombia's indigenous communities and people of African descent. Key sectors in the country, such as the coordinating committee for the national strike, Colombia's most important universities, independent media, and progressive sectors of the Catholic Church such as the Archbishop of Cali, Dario Monsalve, have launched initiatives for national, regional, and local dialogue as the protests and their repression have intensified.

The Duque government's response has been to join in the rhetoric of dialogue at the same time as it digs in and heightens repression. Much of the violence unleashed by Duque and his allies has targeted indigenous activists in the Cauca region of the southwest and its capital Popayán and in Pereira in the west, as well as Afro-Colombians in cities such as Cali, Buenaventura, and Barranquilla.

Meanwhile, U.S backing plays a more critical role than ever, providing Duque with the oxygen and liquidity he needs as he wages his campaign against the protesters. Colombia has had a strategic role in U.S foreign policy for over 100 years, since President Theodore Roosevelt's “Big Stick”– the colloquial term for his policy of U.S intervention in the

region – laid the basis for U.S annexation of the Colombian territory that became the Panama Canal Zone. This intensified during the Cold War, and more recently through the prism of the regional drug war.

It has been 73 years since the bloody U.S.-backed repression of a popular uprising sparked by the assassination of presidential candidate Jorge Eliécer Gaitán in April 1948. His murder occurred during the founding OAS congress in Bogotá, a conference led by retired U.S. Army General George C. Marshall when he was Secretary of State (1947-49). The OAS was a crucial component in what became the U.S. regional strategy for Latin America during the Cold War. Marshall then, like Duque’s supporters today, was apparently convinced that the Colombian popular uprising in response to Gaitán’s murder was instigated as part of a regional wave of leftist subversion. It was at that moment in April 1948 that Colombia first took on the central role in containing leftist influence in Latin America; it is a role the Duque régime continues to claim, again with U.S. backing.

The violence that followed Gaitán’s killing, known as La Violencia, is vividly chronicled by Nobel literature laureate Gabriel García Márquez, though he is best-known for the novel “One Hundred Years of Solitude.” The violence eventually laid the groundwork for Colombia’s devastating civil war, the most protracted conflict of its kind in the world. Between 1964 and 2016, 220,000 were killed, thousands disappeared, and almost 6 million people – primarily of Afro-Colombian descent and from its poorest rural and indigenous communities — were forcibly displaced or exiled, including García Márquez.

U.S. Aid to Colombia and its Collateral Damage

During this period, Colombia was at the center of the U.S.-backed “drug war” during the 1980’s and 1990’s, funded between 2000 and 2016 with the \$10 billion U.S. aid package known as “Plan Colombia.” Those goals eventually converged with the post-9/11 “anti-terrorist” objectives of the United States in the region. No other country in Latin America has received as much continuous military and police aid (more than \$300 million requested for 2021) as Colombia during this period. Such aid, which included U.S grant assistance for Colombia’s national police and sales of crowd control equipment, essentially has facilitated Duque’s repression of mass protests since November 2019.

One of the protest movement's key demands has been for the full demilitarization of Colombia's national police, which have been an integral part of Colombia's military command structure for decades. A deep national debate over the implications of police violence is a key dimension of the current protests and the dialogues they have produced.

Continued U.S. military and police aid also undermines the intent and scope of the historic 2016 peace accords. The United States had officially supported those negotiations between the Colombian government of then-President Juan Manuel Santos and the Revolutionary Armed Forces of Colombia (FARC) rebels, and backed the agreement under President Barack Obama. But that support was never matched by the necessary significant rethinking of U.S security policy in Colombia, despite rhetoric by the Obama administration about increasing the share of aid going to non-security sectors such as health care, education, rule of law, indigenous communities.

The peace process was opposed and undermined from the beginning by Duque and his mentor, Santos's successor as president, Alvaro Uribe, and their paramilitary and elite allies in the country's ruling oligarchy. At the outset of the current protests, Uribe, who is being prosecuted criminally and civilly for numerous human rights crimes, tweeted in support of Colombia's military and police, calling for them to "protect themselves" against "vandals and criminals".

Colombian human rights defenders estimate that more than 1,100 social justice activists- many of them indigenous and Afro-Colombian — have been killed since the peace agreement was signed in 2016. According to Frontline Defenders, during 2020, more than half (177) of the 331 human rights defenders who were killed globally were based in Colombia. As of January 2021, more than 250 former rebel combatants have been killed since 2016 by paramilitary violence.

The ball is in Biden's court, together with the U.N. and the OAS. Continued U.S. support for Duque will further erode implementation of the peace accords and spur deeper conflict. The Colombian people's long-suppressed demands for justice hang in the balance, as they take to the streets in search of a second opportunity, in defiance of the apocalyptic prophecy that concludes Garcia Márquez' extraordinary tale.

IMAGE: A demonstrator falls as they are hit by water cannon during clashes with riot police amid ongoing protests against the government of Colombian President Ivan Duque in Bogota on June 12, 2021. (Photo by JUAN BARRETO/AFP via Getty Images)

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