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The Honorable David Pryor
Ranking Minority Member
Subcommittee on Post Office
and Civil Service
Committee on Governmental Affairs
United States Senate

Dear Senator Pryor:

In your April 1995 request and in subsequent meetings with your staff, you requested information on various programs in Colombia. Specifically, you asked for information on (1) the amount, purpose, and sources of U.S. assistance to Colombia since 1988; (2) the status of U.S. Agency for International Development (USAID) administration of justice and population projects; (3) Colombian economic reform efforts; (4) Colombian environmental reform efforts; and (5) Colombia's human rights record. This letter provides the information you requested.

AMOUNT, PURPOSE, AND SOURCES OF ASSISTANCE

Since 1988, the United States has provided approximately \$691 million to Colombia, with almost 74 percent or \$510 million provided from 1990 to 1993. The majority of the assistance (71 percent) supported Colombia's counternarcotics efforts such as arresting drug traffickers, seizing drugs and illegal processing facilities, and eradicating coca and poppy.¹ Funding for these efforts included \$7 million from the Economic Support Fund (ESF), \$144 million from the International Narcotics Control Program (INCP), \$13 million from the International Military Education and Training Program (IMET), \$219 million from the Foreign Military Financing Program (FMFP), \$92 million from Emergency Drawdown Authority contained in the Foreign Assistance Act (FAA), and \$14 million in grants of excess defense articles (EDA). Also, under

¹U.S. counternarcotics policy stipulates that assistance to Colombia must be used primarily for counternarcotics purposes.

the Andean Counternarcotics Initiative, the United States provided \$36 million in ESF funds to implement an administration of justice project to assist Colombian efforts to strengthen its judicial system.

In addition, Colombia received ESF funds for non-law enforcement counternarcotics efforts. In 1991 and 1992, the United States provided \$77 million to encourage economic reform and for alternative development programs in coca and poppy growing regions.

Of the \$691 million in assistance, Colombia received \$88 million for development purposes. Under provisions of the Enterprise for the Americas Initiative (EAI), the United States provided \$42 million in debt reduction in exchange for Colombia's agreement to support environmental and child survival activities. The United States also provided \$46 million from the development assistance (DA) account to support population and child survival activities.² Table 1 details the amount and sources of assistance provided to Colombia from 1988 to 1995.

Table 1: U.S. Assistance to Colombia--Fiscal Years 1988-95

Dollars in thousands

Year	DA	ESF	INCP	IMET	EAI	FMFP	FAA	EDA	Total
1995	\$5,486	0	\$16,000	\$600	0	\$10,000	0	0	\$32,086
1994	5,300	\$800	20,000	900	0	7,700	0	0	\$34,700
1993	5,300	16,200	25,000	3,026	\$42,000	26,000	0	0	\$117,526
1992	3,700	48,620	23,383	2,296	0	47,000	\$7,000	\$3,200	\$135,199
1991	6,900	47,750	20,000	2,593	0	47,000	0	7,100	\$131,343
1990	6,100	2,890	20,000	1,500	0	71,730	20,000	3,800	\$126,020
1989	5,100	3,660	10,000	1,000	0	7,100	65,000	0	\$91,860
1988	8,300	600	9,767	1,246	0	3,044	0	0	\$22,957
Total	\$46,186	\$120,520	\$144,150	\$13,161	\$42,000	\$219,574	\$92,000	\$14,100	\$691,691

Source: Departments of State and Defense and USAID.

²In addition to this assistance, the Export-Import Bank provided \$112 million in loan guarantees in fiscal years 1991 and 1992.

STATUS OF USAID ADMINISTRATION OF JUSTICE
AND POPULATION PROJECTS

USAID has two major development projects in Colombia--an administration of justice project designed to help reform the justice system and a population project designed to ensure a sustainable national family planning program without continued USAID assistance. The subprojects under the administration of justice project are in various stages of implementation. USAID population initiatives have achieved positive results over the past 20 years and the current project is scheduled to be phased out in 1997.

Administration of Justice Project

The purpose of the administration of justice project is to support reforms in the justice sector adopted in Colombia's 1991 constitution. These reforms include revising the criminal justice system and creating several new government entities. Project goals are to improve the overall capabilities of the justice system, including its investigative and prosecutorial capabilities, and the operation and administration of the court system, thereby increasing public confidence in the judicial system.

USAID, with support from the Colombian government, the Foundation for Higher Education (FES), a local nongovernmental organization, and two offices of the U.S. Department of Justice--the office of the International Criminal Investigative Training Assistance Program (ICITAP) and the Office of Professional Development and Training (OPDAT)--jointly manage the project, which is composed of 51 subprojects.

USAID developed performance indicators to measure the project's progress such as changes in (1) the percentage of court findings on serious crimes, (2) the length of time between preliminary investigation and court finding, and (3) public confidence in the criminal justice system.

According to USAID officials, because of the massive changes in judicial institutions brought on by the new constitution, USAID and Colombia have not yet collected all the baseline data to determine project success. However, some data are promising. For example, USAID's data from the first indicator showed that, from May 1993 to May 1994, the number of court findings emerging from the formal investigation stage had increased from 10 to 20 percent. Within the next few months, USAID intends to assess improvements

in the length of time it takes for case resolution. USAID is also in the process of analyzing data from a recent public opinion poll on the justice system.

ICITAP Component

The ICITAP component was designed to improve Colombia's investigative and judicial protection capabilities by (1) helping to standardize criminal investigative policies and procedures, (2) training investigators and judicial police, and (3) improving government forensic capabilities.

Specific indicators have not been developed for the ICITAP component. However, a midterm evaluation report of the project by a USAID contractor praised ICITAP's efforts in improving Colombia's forensic capabilities, concluding that one of the forensic laboratories is institutionalized, professional, and well equipped, and possessed some of the best forensic talent in Colombia.³ Moreover, approximately 2,100 law enforcement officers have been trained.

OPDAT Component

The OPDAT component is designed to improve Colombian prosecutorial capabilities by developing a national training program for prosecutors and judges on aspects of the new criminal justice system, procedures, and processes. During the first phase, which began in April 1995, OPDAT is training 95 students (60 prosecutors and 35 judges in the program). They will, in turn, train 2,500 regional and sectional prosecutors and judges in Colombia by April 1996. The second phase is expected to train an additional 2,500 local prosecutors and judges and is scheduled to be completed by April 1997.

OPDAT intends to assess project success by measuring reductions in the time it takes from the time of initial inquiry to resolution and the number of cases prosecuted. OPDAT officials are optimistic about the program because it has strong support from the Colombian officials, who have promised to provide the needed baseline data from cases presently in the court system.

³Mid-Term Evaluation of the Justice Sector Reform Project: Development Associates, Inc.; April 14, 1995.

Population and Family Services Projects

USAID population and family planning services projects in Colombia primarily provide support to local nongovernmental organizations. Since 1988, USAID has provided over \$30 million in assistance and plans to close out the projects by 1997.

The two nongovernmental organizations that received most of the assistance (Profamilia and the Association for Voluntary and Surgical Contraception) are now nearly self-sufficient. According to USAID officials, Profamilia is a world leader on family planning activities and Colombia is now considered a world leader on population issues. Colombia's fertility rate (births per woman) has fallen from 6 to 3 since 1968 and population growth has stabilized at 1.9 percent.

COLOMBIAN ECONOMIC REFORM EFFORTS

Unlike most countries in Latin America, Colombia has had continuous positive rates of economic growth since 1971, averaging 4.4 percent per year. In the 1990s, the annual compound growth rate of its gross domestic product has averaged 4.2 percent culminating in a gross domestic product of \$53 billion and per capita gross domestic product of about \$1,500 in 1994.⁴ From 1988 through 1993, net resource flows to Colombia were \$2.79 billion.⁵

The United States provided Colombia \$77 million in assistance through a cash transfer under ESF to encourage economic reform. In exchange for cash assistance, the government of Colombia budgeted an equivalent amount of local currency to increase economic opportunities for those susceptible to illegal activities and undertook economic reforms to expand international trade.

Colombia developed alternative development programs primarily in the coca and poppy growing regions of Colombia. Colombia's economic reform efforts included abolishing import licensing, eliminating price controls, consolidating

⁴According to USAID officials, per capita gross domestic product of \$1,500 qualified Colombia as an advanced developing country.

⁵Net resource flows include net flows of long-term debt, net foreign direct investment, portfolio investment, and grants (excluding technical cooperation grants).

tariff structure, freeing the exchange rate, and reducing the number of state-held monopolies.

According to an economic consulting firm report, the adoption of the trade liberalization policies by Colombia increased its trade substantially. During 1993 and 1994, imports increased by 51 percent and 21 percent, while exports increased by 6 percent and 10 percent, respectively.⁶ Colombia's gross domestic product grew by 5.7 percent in 1994. The United States is Colombia's major trading partner, supplying about 38 percent of Colombia's imports in 1993 and 1994 and 59 percent of the \$4.8 billion in foreign direct investment in Colombia from 1971 through 1974.

COLOMBIAN ENVIRONMENTAL REFORM EFFORTS

Under the 1993 EAI debt reduction agreement, the United States provided \$42 million to support environmental reform initiatives. The Colombian government generated an equivalent amount of local currency to finance environmental protection initiatives to be designed and implemented through Ecofondo, a private nonprofit corporation composed of approximately 291 nongovernmental and government organizations.

In April 1995, an administrative council, whose membership includes the USAID representative, was appointed to oversee the environmental projects. Ecofondo and the administrative council are now developing a strategic plan, project selection criteria, and mechanisms to establish an endowment fund for selected initiatives.

COLOMBIAN HUMAN RIGHTS RECORD

Based on reports by the Department of State and the United Nations, Colombia's human rights record has shown little improvement in recent years. A United Nations team that visited Colombia in October 1994 concluded that the level of violence and criminal activity has not decreased since its 1990 visit.⁷ At the end of 1994, the State Department concluded that the human rights situation in Colombia remained critical because groups such as the police, security forces, paramilitary groups, insurgents, and drug traffickers

⁶World Markets Report, Colombia, DRI/McGraw-Hill, June 1995.

⁷Joint Report of the Special Rapporteurs to the Republic of Colombia, January 16, 1995.

were continuing to commit abuses, including killings, disappearances, and torture. For example, since 1987, Colombia has had the highest murder rate in the world at 77 homicides per 100,000 inhabitants.

According to the State Department human rights report, impunity from justice for violators underlies Colombia's human rights problem as 97 percent of all crimes in Colombia go unpunished. That assessment is consistent with the views of the current president of Colombia who, in his August 1994 inauguration speech, acknowledged that impunity from prosecution is a main cause of the human rights abuses.⁸ The State Department human rights report further concluded the government had failed to establish effective judicial control over military human rights abusers. Further, officials of two nongovernmental organizations monitoring human rights situation in Colombia that we contacted, Amnesty International and the Washington Office on Latin America, said they agreed with the State Department and United Nations reports that human rights violations have persisted. According to Defense and State Department officials, only Colombia's counternarcotics police have a good record in the area of human rights.

Colombian government officials have announced their intention to improve the human rights situation. Colombia created a Human Rights Commission in August 1994, revived a military justice reform commission, and reopened several investigations into human rights cases. However, the United Nations report and officials from the two nongovernmental organizations recently concluded that the government had not yet translated its commitment to improve the situation into reality.

The United States has taken steps to encourage the government to curb abuses and monitors allegations of human rights abuses within the Colombian military and police. According to State Department and Department of Defense officials, the United States will not permit individuals accused of human rights abuses to participate in U.S. training programs. In addition, U.S. supported training programs such as IMET include segments on respect for human rights. Further, the United States has worked with the Colombian government to establish monitoring procedures to ensure that units involved in human rights abuses do not receive U.S. assistance.

⁸ Joint Report of the Special Rapporteurs to the Republic of Colombia, January 16, 1995.

AGENCY COMMENTS

We discussed the results of our work with officials of the Departments of State, Defense, and Justice; USAID; and Amnesty International, who generally concurred with our observations. We incorporated their comments where appropriate.

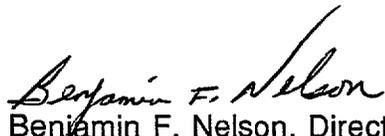
SCOPE AND METHODOLOGY

We collected information for this letter from officials at the Departments of State, Justice, and Defense; USAID; the Washington Office on Latin America; and Amnesty International in Washington, D.C. We also visited the U.S. Embassy in Bogota, Colombia. We interviewed cognizant officials at all these locations and obtained documents to support their statements and reviewed financial and budget data to support the amount of funding provided.

We conducted our work between July and November 1995 in accordance with generally accepted government auditing standards.

Please contact me at (202) 512-4128 if you or your staff have any questions concerning this letter. Major contributors to this letter were James Strus and Lee Richardson.

Sincerely yours,



Benjamin F. Nelson, Director
International Relations and Trade Issues

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