

Sparks of War? Military Cooperation between Colombia and the US from a Strategic Perspective (ARI)

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Theme: The military cooperation agreement signed between Colombia and the US in November 2009 unleashed a flurry of debate in the continent regarding the scope of the fight against narcoterrorism and the presence of US forces in Latin America.

Summary: Military cooperation between Colombia and the US has continued since the very first Military Assistance Agreement in 1952. US assistance has broadened from the military sphere of defence to the wider area of security in order to encompass the fight against terrorism, drug trafficking and other threats to Colombia's national security. Bilateral agreements have been signed against a backdrop of regional and international statements in this connexion, and after governments such as those of Ecuador and Peru refused them the use of their facilities.

The Supplemental Agreement for Cooperation and Technical Assistance in Defence and Security (SACTA) between the governments of the Republic of Colombia and the US was signed in November 2009, allowing the presence of US forces in Colombian bases. Colombia's exceptionality triggered significant reactions, initiatives and political-strategic trends at both the regional and extra-regional levels. This ARI describes the process of cooperation between the Colombian and US governments, assesses the agreement and outlines the controversies and costs it has generated both inside Colombia and in the broader regional context.

Analysis: During the Administration of US President George W. Bush, a special and preferential relationship was consolidated between Colombia and the US. The intensification of bilateral ties in a number of areas (including the definition of a free trade agreement which, nevertheless, has not yet been approved by the US Congress) was preceded by major US support for Colombia's efforts to combat drug trafficking and illegal armed organisations under the Plan Colombia, devised by the governments of Andrés Pastrana and Bill Clinton. The closer links and increased solidarity between Washington and Bogotá came in sharp contrast to the main trends in relations between the US and Latin America and to the political shifts in the region in the last decade.

On the one hand, it came just as, in many sectors, a change in US foreign policy towards Latin America was perceived. While the 1990s were marked by the US's strong interest in consolidating a kind of 'benevolent hegemony' in the region based on free trade (President Clinton's initiative in the Free Trade Area of the Americas, FTAA) and the extension and promotion of democracy, the most refined expression of which was perhaps the OAS Inter-American Democratic Charter, the following decade appeared to be characterised, especially from 11 September 2001 onwards, by an apparent 'disdain'

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on the part of the US towards Latin America, perhaps because Washington had other priorities.

This distance widened as in many Latin American nations there was a 'shift to the left', each with its own nuances and cadence, sometimes defiant and provocative, such as those represented by 'Bolivarian socialism of the 21st Century', and others more conciliatory and open to dialogue, like those of Chile and Brazil, for example. In that context, however, the relationship between the US and Colombia appeared to be running against the tide, as Colombia, for deep-rooted historical reasons and due to the ongoing existence of the armed radical left in the country, did not take part in the shift leftwards, but maintained the centre-right in power, under the leadership of President Álvaro Uribe, who in eight years of government has achieved historic ratings of approval and popularity. One might even venture to say that under the Bush and Uribe Administrations, the bilateral relationship between the US and Colombia was the closest in the entire continent, with the sole exception of the US's relationship with Mexico, for obvious reasons of geographical proximity, common problems and economic partnership.¹

The special relationship has continued since the Democrats gained power in the US. Neither the change in style under President Barack Obama or the new priorities of his Administration, both domestically (the economic crisis and the need for greater social cohesion) or abroad (Iraq, Afghanistan, Pakistan and North Korea), have undermined or weakened the relationship with Colombia, as some predicted. After all, Colombia shares with the US two of the main threats currently posed to their security: drug trafficking and terrorism. These two elements have been central to the bilateral relationship and, to a considerable extent, the success obtained in the last few years by Colombia in its internal struggle against these two evils is due largely to the broad financial, technical and operating support of the US.

Although drug trafficking and terrorism still persist in Colombia, their damage capacity, embodied by the symbiotic alliance between the narcoterrorist organisations such as the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), has been severely undermined by the execution, first of Plan Colombia and later of the Democratic Security and Defence Policy of Colombia.

The Supplemental Agreement for Cooperation and Technical Assistance (SACTA) of 3 November 2009 is the most recent manifestation of this bilateral cooperation² between the governments of Colombia and the US, significantly broadening the activities and resources from which to derive synergies to combat this threat, historically shared by the two countries. In the past Plan Colombia and anti-drug cooperation helped the US to satisfy internal political demands (relating to the fight against this scourge) and to stem the overflow (seen as imminent) of insurgent activity inside Colombia in the late 1990s, which limited the prospects of stability necessary to exercise benevolent US hegemony. Ongoing cooperation in these areas helps Washington to develop a prestige-building policy in the region, to pre-empt a geopolitical shift or dislocation (as a result of the emergence of extra-regional powers or the reconfiguration of power relationships and

¹ Annex to the General Agreement for Economic, Technical and Related Assistance in the fight against drug trafficking and terrorist activities, the Memorandum of Understanding of 14 March 2007 for a Strategic Security Relationship and the 'Air Bridge Denial Agreement' of 20 December 2007 for the Suppression of the Illicit Aerial Traffic in Narcotic Drugs and Psychotropic Substances.

² The complete Agreement (in Spanish) is available at <http://web.presidencia.gov.co/sp/2009/noviembre/03/acuerdo.pdf>.

political orientations in some South American areas) and, naturally, to convey the message that promises to allies and partners will be honoured and kept. Today this has resulted in a strategic symbiosis that the SACTA merely strengthens and confirms, while it projects it towards the future.

The Nature of Cooperation

Technically, this agreement replaces the existing one with Ecuador concerning the use by the US of its Manta base, headquarters of aerial monitoring and prevention activities in the fight against drug trafficking. In view of Ecuador's refusal to extend the existing agreement in this connection, based on a constitutional provision prohibiting the installation of foreign military bases in Ecuadorean territory, the Washington and Bogotá governments agreed to replace the Manta base with access to seven military bases in Colombia, in order to maintain the monitoring mechanisms hitherto in place from Ecuador.

The essence of the SACTA is to strengthen cooperation between Colombia and the US in terms of monitoring, tracking and preventing drug trafficking activities between Colombia and the US, via the various routes used by the drug cartels to avail themselves of supplies and place the finished product in the market. In this regard, SACTA implies:

- (1) A quantitative increase in US personnel in Colombia devoted to technical and intelligence work. SACTA does not imply the presence of offensive combat personnel or the deployment of US troops in Colombian territory.
- (2) The maximum number of Americans allowed for these technical and intelligence operations in Colombia is 800 military personnel and 600 contractors. There are currently some 230 members of the US military in the country, counting both long-term and temporary deployments, and a flow of some 400 contractors per month.
- (3) A special statute of immunity was agreed for military personnel deployed to Colombia pursuant to the Agreement. This statute of immunity does not include civilian and private contractors and it does not preclude Colombia, in certain cases, from lifting this immunity, or from monitoring and requesting reports in regard to the progress of investigations. The US will be liable for all indemnities deriving from the responsibility of US military personnel, in the event.
- (4) This is a simplified agreement that develops pre-existing and valid international treaties and, therefore, it is not subject to Congressional approval in either the US or Colombia, although the respective Congresses do maintain their constitutional competency in respect of political control and monitoring of execution and compliance.
- (5) Lastly, Colombia will permit the use of frequencies and installation of satellite receivers in the country without prior legal processing and without a licence.

Aside from its operational scope in the fight against drug trafficking, the agreement between the US and Colombia has major geopolitical implications for both parties, and indeed for some third parties. This explains why, as soon as the two governments announced their intention of perfecting the agreement, an intense regional debate was unleashed, led by Venezuela, within the framework of the Union of South American Nations (UNASUR), both at the ordinary annual summit held in Quito and at the extraordinary summit called solely to analyse this matter, and held in the Argentine city of Bariloche. The US Secretary of State, Hillary Clinton, had to send a letter to her colleagues from the 12 nations assembled at the summit, confirming that the scope of the agreement was bilateral. Mediation by Brazil and Argentina neutralised the more belligerent stances of Venezuela and Bolivia, and ensured that the final official communiqué made no mention of this dispute.

Map 1. Colombia: military cooperation with the US



Source: BBC World, 6/VIII/2009.

The truth is that there is no overlooking the huge symbolic and geopolitical value of the Colombia-US agreement within the framework of US foreign policy. First, it is part of the traditional US diplomacy tactic of expressing the credibility of its commitments and the reliability of its support, not only vis-à-vis its allies, but also in respect of potential challenging powers. Secondly, it is also a key building block in a policy of status quo, based on dissuasion and on the control of information compiled through activities executed in the development of the agreement, at a time when anti-US bastions appear to be cropping up in the region, which forge closer ties with and pave the way for the intervention of extra-regional powers, such as Russia.

Accordingly, the SACTA also conveys a very clear message: the partnership with Colombia has not eased off, and neither has US interest in the region, in which it will try through dissuasive measures to maintain the status quo and prevent any overwhelming intensification of the activity of foreign powers or some regional leaders, like that of Venezuela (whose commitment to the fight against drug trafficking and terrorism leaves a great deal to be desired, in the State Department's judgement).

An Important Internal and External Dissuasive Instrument

Inside Colombia, the agreement has a significant dissuasive role. Following the success of the Public Forces in developing complex and refined operations such as 'Fénix' and 'Jaque', which dealt major blows to drug trafficking organisations,³ intensification of the prevention, monitoring and intelligence activities conducted by US units –under the provisions of the cooperation agreement– constitutes an additional element to add to the battery of instruments developed by the State in the framework of consolidation of Colombia's Democratic Security and Defence Policy to shore up its dissuasive and anticipatory capacity in the fight against illegal armed groups.

³ 'Fénix', in March 2008, ended with the killing of FARC number two, Raúl Reyes, and 'Jaque', in July of the same year, resulted in the rescue of 15 hostages being held by the FARC, including Ingrid Betancourt.

Furthermore, the agreement has a powerful dissuasive component with regard to the interference of manifestly hostile neighbours, especially Venezuela, which, in the last few years, has held an ambiguous position in relation to illegal armed groups in Colombia and, more recently, appears to have embarked on a clearly offensive arms race. Although the SACTA does not envisage a permanent deployment of combat troops on Colombian territory, and neither is it an alliance as such (conceived in response to a foreign attack on one of its members), it still has considerable power to contain potential external aggressors who might be tempted to take advantage of the fact that Colombia is at something of a disadvantage, since its military resources have been planned, accumulated and strengthened based on the demands of an unofficial domestic war, rather than to fend off a foreign attack. In this connection, there is no doubt that the US presence conveys the message –effectively perceived by its potential addressees, to judge by the agitation it has caused– that Colombia is not unprotected.

Some Evident Costs

Nevertheless, the agreement also incurs substantial costs for both Colombia and the US. These costs derive from the fact that the agreement might be read –and presented propagandistically by the most anti-US sectors of the Latin American political spectrum– as evidence that in the midst of the ‘disdain’ for the region for which the White House is so often reproached, its interest obeys almost exclusively to military concerns, while –apparently– there are no signs of cooperation at other levels that are especially significant for Latin American interests, such as social and economic development. In fact, as soon as it was unveiled, the SACTA unleashed a fiery controversy which is unlikely to fade quickly.

For Colombia, the agreement may compound existing tensions and even create new ones in the region, as, in effect, it already has done in respect of the highly deteriorated relationship with Venezuela. Accordingly, Bogotá is equipping itself to unfurl a diplomatic strategy that enables it to curb suspicions, reduce the degree of internationalisation of the issue of its bilateral agreement with the US and at the same time avoid new hostilities and a further erosion of trust in South America.

In answer to criticism of the SACTA, the Colombian government justifies its decision based on various criteria. First, it cites the issue of reciprocity, according to which third-party assessments of commitments acquired by others should follow the criteria used to assess their own, removing all double standards. This is significant since, for example, the National Assembly of Venezuela decided on 25 September 2009 to assign the category of ‘secret’ to the agreements reached between it and Russia from August onwards. Accordingly, the general consideration is that any demand in regard to the observation or monitoring of Colombia’s conduct should use the same measuring stick for all countries involved.

Secondly, Colombia has been arguing that the rules and conditions on nations’ conduct must be identical for all, and that, accordingly, to question a particular issue in relation to one nation means accepting that such questioning be extended to include all similar matters in which other nations might also be involved. In addition to this fairness criterion is that of non-duplication, whereby the various multilateral institutions in which a matter might be discussed should not effectively turn into duplicate discussion forums. This is why Colombia has stated that the debate on the SACTA (and related themes that might arise in accordance with the aforementioned principles) should take place in designated forums, and the discussion of the matter should be blocked to the extent that it has

already been or is being dealt with, for example, in the Organisation of American States (OAS).

Lastly, for Colombia, the quest to build trust, overcome tensions and prevent conflicts does not constitute *carte blanche* for interference by state or international organisations in private affairs pertaining to national security. Not even the integrationist argument can act as a constraint on the development of nations' foreign policy in matters that are of their sole jurisdiction, provided they are in line with the rules of international law.

Some Internal Weaknesses Generated

In addition to the advantages and costs generated and implicit in the agreement, it may also give rise to some new weaknesses in Colombia. First, some sectors of the opposition, such as the left-wing Alternative Democratic Pole (*Polo Democrático Alternativo*, PDA), have already attacked what they call a policy of surrender by Colombia and imperialism by the US, as well as another example of 'militarism' in Colombia's Democratic Security and Defence Policy and yet another obstacle on the way to a 'negotiated solution' to the country's unofficial war.

This could be further compounded by the fact that, moving away from the (non-binding) concept of the Council of State, the government decided not to submit the SACTA for Congressional approval and review by the Constitutional Court by affording it the status of simple agreement, and indeed it decided not to consult the Senate since it considered that the agreement did not, as such, involve the transit or permanence of foreign troops, appealing to the precedent set by other similar agreements in which such proceedings have been overlooked without their legality or constitutionality being called into question.

Secondly, narcoterrorist groups could feel tempted to focus attacks on US personnel. Although the SACTA does not imply a greater presence of this personnel, or a more active participation in direct combat operations, the current political climate could be seen as suitable for launching a terrorist campaign that evidences the Colombian state's weakness and that of its foreign ally –thereby compromising the future of this alliance– which could be exploited for propaganda purposes as evidence of the 'widespread popular rejection' of foreign occupation.

Conclusions: The military cooperation agreement between Colombia and the US responds to an internal need clearly perceived by the Colombian government and it is closely related to national interests at the most senior level. The Agreement is the last link in a chain of bilateral cooperation that has intensified and grown over time, as common threats and risks increased.

In fact, it is not only a tool to leverage US cooperation in the fight against narcoterrorism in Colombia (and the region) but it fulfils major dissuasive roles both internally (*vis-à-vis* illegal armed groups) and externally (in relation to possible foreign aggressors), even though it is not an alliance in the strictest sense.

However, signature and implementation of the agreement also incurs costs and triggers weaknesses that are being gauged and assessed with interest in order to devise and implement strategies that contain and offset them, so as not to accentuate the regional antagonisms but, rather, to strengthen the measures that promote trust as the backbone of an eventual cooperative and preventive security system based on the respect of international laws of coexistence.

These regional enmities predate the agreement, the nature of which, moreover, should not arouse suspicion. The agreement has given some governments a new hobby horse in their intentions both to reignite hostilities with Colombia at regional level and to fuel further anti-US rhetoric from which they gain huge electoral advantage.

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