

**SWARTHMORE COLLEGE**  
**Human Rights Considerations and Effectiveness of U.S. Sponsored Coca Fumigation in**  
**Colombia**

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From: Mackenzie Welch and Jason Mendoza

The Honorable Robert Menendez  
528 Senate Hart Office Building  
Washington, D.C. 20510

Dear Senator Menendez,

We write to urge you to use your position as the Chairman of the Senate Foreign Relations Subcommittee on the Western Hemisphere to change U.S. drug eradication policy in Colombia from aerial fumigation to manual eradication. Current U.S. funded coca eradication programs in Colombia are causing human rights violations and damaging the reputation of the United States as a country that supports human rights. Aerial fumigation, the practice of using planes to spray pesticides on coca crops, is the most widely utilized coca eradication practice in Colombia and is largely sponsored by the United States. However, these drifting chemicals eradicate legal and illegitimate crops alike, destroying the legal livelihoods of subsistence farmers and creating health risks for local populations.<sup>i</sup> In a study by Colombia's Council for Human Rights and Displacement, it was found that more than 75,000 people were displaced by fumigation from 2001 to 2002.<sup>ii</sup> An additional 1.2 million hectares of arable land have been sprayed between 2002 and 2011,<sup>iii</sup> prompting further displacement and social instability. These conditions undermine U.S. goals in Colombia, namely the support of democracy and civilian security, and hurt one of our strongest allies in South America.

Even beyond human rights considerations, the U.S. funded fumigation program is costly and is not achieving its desired results – the eradication of cocaine production. Numerous studies have shown that coca production has not decreased substantially in Colombia;<sup>iv</sup> in fact, coca cultivation has increased from twelve regions in 1999 to twenty-three regions in 2007.<sup>v</sup> Experts believe this is because aerial fumigation is causing cultivators to seek increasingly remote areas to grow coca, which spreads violent conflict across the country.<sup>vi</sup> Despite these findings, the United States has spent 900 million dollars on fumigation since 2007, money that could have gone to supporting domestic taxpayers or investing in more effective programs.<sup>vii</sup>

In addition to an ineffective policy, the system of legal redress for unlawful fumigation does not meet the needs of those affected, which directly violates the U.S. Congress' 2004 conditions that initially allowed fumigation. Out of 4,535 claims for damages caused by fumigation in 2005, only 10 claimants were compensated and the rest were immediately rejected or are still being processed.<sup>viii</sup> Justice delayed is justice denied and as many of these claimants have lost their legal agricultural livelihoods as a result of fumigation, internal displacement increases, further undermining social stability in Colombia.

As citizens interested in the protecting the United States' reputation abroad and making sure taxpayer money is used effectively, we urge you to work with the Subcommittee on the Western

Hemisphere to change U.S. fumigation policy in Colombia. To end human rights violations and increase effectiveness, a switch must be made from fumigation to development initiatives promoting legal crops. These programs, beginning with manual extermination of coca by the farmers themselves, will avoid the environmental damage caused by drifting chemicals and circumvent the root causes of illicit coca production: the lack of jobs in rural communities. Manual extermination and development initiatives have been used successfully on a small scale in parts of Colombia, and on a larger scale in Venezuela, Ecuador, and Peru.<sup>ix</sup> Following similar projects in Bolivia, the economic cost will likely be lower as well.<sup>x</sup> In short, development initiatives are the more humane and effective form of coca eradication. These projects will save taxpayer dollars, work to reduce cocaine production in Colombia, and improve the lives of rural Colombians.

Secondly, the legal petition system for compensation for past damages must be reformed. The current legal petition system is not effective, but can be easily improved to satisfy this requirement. First, for low-income plaintiffs from rural areas and conflict zones, a 30-day window for complaints does not provide sufficient time to travel to a major city and find legal aid to file a claim. Late filing resulted in more than 1,300 of the initial claims being rejected; a time extension would help to eliminate this problem.<sup>xi</sup> Increasing funding to the legal petition system would also increase effectiveness; an additional 1,757 petitions are pending due to lack of funding for field investigations.<sup>xii</sup>

We realize that these changes will not come easily. However, we believe that the protection of human rights is worth the effort. Supporting development initiatives for rural farmers in Colombia does not conform to the language and tactics usually attributed to the War on Drugs. As a result, a major obstacle to this tactical shift will be convincing entrenched policy makers to support a tactical modification. In addition, this initiative is more logistically complicated than fumigation; it will require a greater awareness of local security conditions, increased community involvement, and sustained oversight. However, such an initiative would free the United States from the tarnish of human rights violations and has shown measurable success in countries facing similar problems with drug trafficking.

As the Chairman of the Senate Foreign Relations Subcommittee on the Western Hemisphere and a Latino that cares about the welfare of our hemisphere and its people, we urge you to consider this urgent problem and the consequences this issue can have for local people in Colombia, as well as the reputation of the United States abroad. You have worked on a master plan for the Western Hemisphere to address the supply and demand issues associated with this hemisphere's narcotics problem, and this issue is an important component of that plan. As such, we hope that you will take this letter into account when determining continued United States involvement in Colombia, especially in regards to rural fumigation.

Sincerely,

Jason Mendoza '16  
Mackenzie Welch '15

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<sup>i</sup> O’Shaughnessy, Hugh and Sue Branford. *Chemical Warfare in Colombia: The Costs of Coca Fumigation*. London: Latin America Bureau, 2005.

<sup>ii</sup> Youngers, Coletta and Eileen Roslin. “Drugs and Democracy in Latin America: The Impact of U.S. Policy; War and Drugs in Colombia.” International Crisis Group, 2005.

<sup>iii</sup> World Drug Report 2011. United Nations Office on Drugs and Crime (UNODC), 2011.

<sup>iv</sup> *Ibid.*

<sup>v</sup> “An Exercise in Futility: Nine Years of Fumigation in Colombia.” Witness for Peace, Foundation Minga and the Institute for Policy Studies, 2007.

<sup>vi</sup> Rabasa, Angel & Peter Chalk, "Colombian Labyrinth: The Synergy of Drugs and Insurgency and Its Implications for Regional Instability" (Santa Monica, CA: RAND Corporation, 2001), Chapter 6, p. 66.

<sup>vii</sup> “Narcotics Affairs Section: Funding.” U.S. Department of State, United States Embassy: Bogotá, Colombia, 2009.

<sup>viii</sup> “Fumigación Quejas” (Fumigation Complaints). Dirección de Antinarcóticos (DIRAN) - Anti-Narcotics Directorate. Bogota, Colombia, 2005.

<sup>ix</sup> *Ibid.*

<sup>x</sup> World Drug Report 2011. United Nations Office on Drugs and Crime (UNODC), 2011.

<sup>xi</sup> “Fumigación Quejas” (Fumigation Complaints). Dirección de Antinarcóticos (DIRAN) - Anti-Narcotics Directorate. Bogota, Colombia, 2005.

<sup>xii</sup> *Ibid.*

## **Works Consulted**

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