

September 23, 2005

Honorable Senator Mitch McConnell
Honorable Senator Patrick Leahy
Honorable Representative Jim Kolbe
Honorable Representative Nita Lowey
Members of the House and Senate Foreign Operations Subcommittee

**Re: Conference Committee on Foreign Operations Appropriations
Bill**

Dear Honorable Members,

Several important decisions affecting Latin America remain to be resolved in the conference for the FY06 foreign operations appropriations bill. As organizations concerned with human rights and social justice issues, we write to respectfully make the following recommendations:

Andean Counternarcotics Initiative. We urge you to accept the Senate version of the Andean Counternarcotics Initiative. Our organizations, some of which have programs on the ground in Colombia, have long advocated greater attention to economic assistance for that country. We believe that alternative development programs are a more effective, humane and sustainable method to encourage small farmers to switch permanently from drug crop production. Aerial spraying did not produce tangible gains in 2004, demonstrating the diminishing returns from a strategy in which development aid is not adequately funded. Moreover, we believe that greater attention to the needs of Colombia's internally displaced population is essential. The Senate version of the bill would increase economic assistance slightly, a very modest step in the right direction.¹

We request that you adopt the Senate conditions on any future U.S. funding for the Colombian paramilitary demobilization process. We strongly support negotiations leading to full dismantlement of paramilitary groups. However, the "Justice and Peace" law governing the demobilization will allow major drug traffickers and the authors of horrendous massacres to receive little or no jail time. There has been little participation by victims in decisions over truth, justice and reparations. Moreover, as Human Rights Watch has documented, the "demobilized paramilitaries are not confessing, turning over substantial assets, or disclosing substantial information about their groups' criminal networks and financing streams as part of the demobilization process. Instead, paramilitaries are taking full advantage of the demobilization process to launder their illegal fortunes and legitimize their political control."

¹ The Senate version would result in a 75%-25% balance between military and economic assistance for Colombia, rather than the existing 80%-20% split, including Foreign Military Financing and military aid for Colombia included in the defense appropriations bill.

Guatemala. We urge you to retain the ban on International Military Education and Training. In the 1996 Peace Accords, the Guatemalan government agreed to a set of military reforms. While some progress has been made, a number of key reforms have yet to be implemented. Of particular concern are the increasing participation of the military in law enforcement operations -- blurring the lines between civilian and military roles -- and the lack of progress in the investigation and prosecution of military officers implicated in past and present human rights violations and crimes. Disturbingly, the Guatemalan legislature is currently considering moving trials of former and active members of the military accused of common crimes from civilian to military courts.

Economic support funds. We believe it is vital to reject restrictions on economic support funds to countries that are parties to the International Criminal Court (Sec. 574 of the House version). This provision will affect a number of countries in Latin America and cut off programs intended to improve judicial and electoral systems, strengthen local governance, and prevent corruption. As overall levels of economic aid to Latin America decline, the effect of this provision is particularly detrimental.

Development assistance. We urge you to support House provision no. 576 ensuring that development assistance and child survival for El Salvador, Guatemala, Nicaragua and Honduras not fall below FY05 levels.

Forensic Assistance. We request that you support the Senate provision earmarking funds to support investigations, including DNA analysis, in cases of extrajudicial killings and child disappearances in Central and South America. The identification of victims of human rights violations through new DNA technology will help provide answers and solace to thousands of families of the disappeared in Latin America as well as contribute to the strengthening of judicial institutions in the region.

We hope that you take these important opportunities to strengthen economic assistance to Latin America and to support human rights. Thank you for considering our concerns.

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