
Colombia: Criminalization, a mechanism to ensure unfair “development”

In Colombia the State resorts to criminalizing social and grass-roots organizations as a method of repression aimed at imposing by force the global market's agribusiness, large scale infrastructure works and the extraction of natural resources involving high human, social and environmental costs.

Criminalization has been an effective method whereby – by using discursive and symbolic strategies, combined with the formal use of legality – social actors are delegitimized and penalized for opposing unjust working conditions, environmental destruction, and policies damaging the survival of the planet, subordinated to corporate profitability and earnings.

Accusations, breaking up relationships between society and social movements and legal questioning of social expressions have been famous in Colombia since the thirties. The demonstrations by banana plantation workers who were accused of being “communists,” ended in a collective massacre promoted by a United States banana company. In the fifties and sixties the peasant movement demanding land was criminally attacked and bombarded and unjustly brought up before the courts. During the seventies, an urban and rural demonstration linked to a National Civil Strike was drowned by indiscriminate killings of demonstrators, followed by torture and trials of civilians in military tribunals. Or in the eighties, when members of social grass-roots peasant and Afro-Colombian organizations were murdered, forced off their lands, pushed into exile or exterminated by paramilitary forces and the survivors later brought up for trial, accused of terrorism.

Today, while interests focused on the world market are located in those territories, the social expressions of resistance by rural inhabitants, among them the survivors of the State's systematic violence, are subject to further violence and criminalization with the use of multiple strategies to ensure they are under control or that they consent to “development” models.

In the North of the Choco in the Colombian Darien area, the destruction of primary and secondary forests started with a violent military operation under the name of “Genesis,” which resulted in the displacement of Afro-Colombian peasants accompanied by 80 documented crimes- and the installation of a paramilitary base where the Maderas del Darien company (a branch of Pizano S.A) established itself. The leaders who bravely denounced these actions against the collective territories where they lived were subject to death threats, to being set-up in the mass media and sent to trial for rebellion and drug trafficking. Those responsible for what was known as ecocide in the mid-nineties and for other crimes were never investigated. The companies deforested the land, which was never returned to its owners, the military officers were promoted and the paramilitary forces, together with national politicians developed new agribusinesses. The communities were criminalized and stigmatized.

In that same region, in the bio-geographical Colombian Choco, the watersheds of the Curvarado and Jiguamiando - declared a natural reserve in 1959 - are an example of the use of official – military and paramilitary – violence for the implementation of oil palm agribusiness and the spread of cattle ranching. Starting in 1996 when President Alvaro Uribe Velez was governor of the Department of Antioquia, the 17th Brigade of the national army and the paramilitary forces launched a persecution

against Afro-descendent and indigenous inhabitants. More than 140 peasants were murdered or went missing and 40 community leaders had court action brought against them, including capture orders for the crime of rebellion. These facts together with the death threats, the economic blockade, the abuse of power, the bombing and the ransacking of local peoples' means of survival, led to 15 forced mass displacements of hundreds of families.

This violence has made it possible for over 23,000 hectares of collective territory to be appropriated illegally by oil palm growers, cattle ranchers and loggers linked to State criminality, paramilitary forces and money laundering. This dispossession of land has been accompanied by intensive deforestation of primary forests in over 10,000 hectares, the drying up of five rivers and the contamination of streams by agrochemicals, causing serious health problems particularly affecting women and children.

Criminalization can only be understood as part of a repression mechanism, the violation of human rights and an attempt to exert social control, clearly associated today with business in these territories.

In Colombia, according to Human Rights organizations, over the past 15 years, close on 4 million people have been forcefully evicted from their lands by armed operations involving State responsibility and 14,000 crimes against humanity were committed between 1988 and 2003 . Organizations of missing people's families indicate that over 15,000 people have disappeared with the use of force . Nearly 7 million hectares of lands have been illegally appropriated by paramilitary forces or drug traffickers in the past 15 years, very often after having forced the inhabitants to leave .

The policy of democratic security and construction of a community State, launched in 2002 by the Uribe government, boasts that it has moved away from the National Security Doctrine and that it has zero tolerance of Human Rights violations. Such statements are no more than reengineering advertising of the old repressive military and police practices. Between 2002 and 2006, close on 6000 illegal and arbitrary arrests were made, together with nearly 1000 murders by the armed forces. Many of these victims are depicted before the mass media as having died in combat.

The Colombian State justifies the use of violence against peasants, Afro-Colombians, indigenous peoples and trade-union and social leaders, under the pretext that they are persecuting guerrillas or drug trafficking. But these attacks usually favour the economic interests of national and international companies engaged in agribusiness, infrastructure works and extraction of natural resources. These companies also protect themselves against criminality or use it to support their interests.

Actual violence is accompanied by practices such as false incriminations and accusations in the mass media, leading to criminal prosecution. Organizational processes affirming the right to a healthy environment, the respect of biodiversity and to collective territories are penalized to ensure investment.

Since October 2008, demonstrations by indigenous Nasa people in the Departments of Cauca and Putumayo against the signing of Free Trade Agreements and in favour of respect for biodiversity and the territories have seen two murders and over 200 people injured. High government officials have delegitimized the indigenous movement, accusing it of being led by FARC guerrillas. These accusations are not new and for some time now indigenous leaders have been set up in legal proceedings.

Recently sugar cane workers launched a strike to question the national energy policy and the absence of labour guarantees and were the target of false accusations. Three of them were later arrested.

Criminalization in the mass media and in the courts is part of repressive mechanisms and of a formality to legitimize the violation of Human Rights. This is part of an attempt to ensure territorial privatization for businesses focused on the global market, to destroy opposition, impose silence and social consent to an unfair “development” model.

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