

## A New Uribe? *Álvaro Uribe's Second-Term Challenges*

*Rodrigo Pardo*

President Álvaro Uribe's second inauguration last August 7 may be somewhat of a paradox. He was re-elected with a resounding 62 percent of the popular vote (over seven million votes), the largest plurality in Colombian history. Though this reflects a clear desire for continuity on the part of voters, Uribe II will most certainly differ from Uribe I.

A brief look at the new political environment, the electoral mandate, the new government agenda and the changes in the international scene demonstrates that the government needs to make some adjustments and revise certain policies. The challenges facing Uribe in his second term differ significantly from those he faced in the first. This review of these challenges is divided into the following sections:

1. The electoral process and how it affected the political base of both the President and Congress;
2. The challenges posed by the fragmentation of government forces and the tools available to the opposition;
3. Uribe's difficult new agenda, which includes badly-needed fiscal reform and bureaucratic restructuring as well as the risky exchange of a successful hard-line guerrilla policy for a dubious gamble on negotiations;
4. The foreign policy challenges brought on by evolving domestic political realities and the fine line Uribe must walk while clarifying or changing his policy of alignment with the Bush administration.

### **The Electoral Process: A New Political Context**

The remarkable differences between Uribe's 2002 and 2006 wins will have consequences for his ability to govern. Four years ago the electorate voted him in because he embodied a critical view of the peace talks between the Andrés Pastrana government and the Revolutionary Armed Forces of Colombia (FARC). Uribe, a steadfast, consistent critic of the initiative, was able to channel public indignation with the FARC and the low popularity of the outgoing government in his favor.

But Uribe's 2006 win was a mandate for continuity instead of change, or, rather, continuity of the changes he started in 2002. Going into the elections on May 28, 48 percent of Colombian voters agreed that "the country was on the right track" versus 32 percent who felt otherwise.<sup>1</sup> Throughout his first term, Uribe's approval ratings hovered near the 70 percent mark (with 22 percent disapproval). His management skills earned similar ratings (75 percent approval versus 20 percent disapproval, on average). These ratings applied to all areas of the government agenda except for his handling of economic, cost of living and unemployment issues, where disapproval (52 percent at election time) was greater than approval (44 percent). Most of the president's poll numbers rebounded in his favor by election day.

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<sup>1</sup> Gallup polls published in various media. Poll conducted in four large cities, 1,000 respondents, 3 percent margin of error.



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# Foreword

In 2002, the Inter-American Dialogue launched a working paper series on Colombia. We sought to devote sustained and expert attention to one of the hemisphere's most urgent challenges, with a particular emphasis on how the country could move toward greater peace and security. The aim was to stimulate a broader public debate on the complex issues facing key decision makers involved in the Colombian conflict. We offered diagnoses and interpretations of the current situation, as well as policy prescriptions that could help the country resolve its multiple and deep-seated problems.

In 2005, the Dialogue expanded the focus of the series to encompass the broader Andean region, including Ecuador, Bolivia, Peru, Venezuela, as well as a continued focus on Colombia. The expanded scope reflects the natural evolution of a Dialogue initiative that began in June 2001 as the Colombia Working Group and is now known as the Andean Working Group. A select and diverse group of analysts and policymakers from the Andean region, other Latin American countries, Europe, Canada, and the United States participate in the initiative. The working group serves as a core of advisors, a "brain trust" for the Dialogue on the Andes, which is a central priority for the organization. The goal of the group is not necessarily to reach agreement and produce consensus documents. Rather, it is to encourage and generate innovative ideas and proposals that help shape thought and action on Andean challenges in constructive ways.

This paper, written by Rodrigo Pardo, the director of Colombia's leading weekly news magazine, *Semana*, sets forth the principal challenges facing Álvaro Uribe in his second term. Pardo, a former minister of foreign affairs and one of Latin America's leading international relations specialists, reviews the advantages and drawbacks of Colombia's relationship with the United States and emphasizes the importance of strengthening Colombia's relationships with Europe, multilateral institutions, and other Latin American governments. Pardo also contrasts the composition of the cabinet and opposition during Uribe's first and second terms. In addition, Pardo assesses Uribe's prospects for carrying out his challenging and varied reform agenda. Pardo's perspective does not necessarily reflect the views of the Working Group or the Inter-American Dialogue.

Given the highly dynamic political situation throughout the Andean region, where events unfold with unusual velocity, it is nearly inevitable that some of what appears in these papers will be overtaken by new developments. However, while some of the details will seem dated, the central points and arguments remain relevant. We hope that a steady output of thoughtful interpretations of politics and relations in the Andean region will stimulate better insights on its challenges and more realistic and effective policies.

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One interesting development was the changing public perception of the U.S.-Colombia free trade agreement (FTA), as the final stage of negotiations coincided with the presidential campaign. In November 2005, 50 percent opposed an agreement with the U.S. while 42 percent supported it. Six months later these figures had turned around: 51 percent were for the FTA and 40 percent were against it. Conscious of the electoral damage an FTA could cause, especially given the trouble Óscar Arias had in Costa Rica, the government launched a drive to explain and publicize the benefits of the accord. On most issues, public opinion was persuaded by Uribe's arguments, and, as a result, his victory was never in question. More than his position on any particular issue, political affiliations or party support, voting in the 2006 election was driven by personal sympathy. Voters supported Uribe without asking too many questions.

The 2006 vote was the first following the 2003 political party reforms. These reforms set strict requirements for forming a party, including a minimum threshold of the popular vote to be eligible for congressional seats or legal status; a requirement to present a single list of candidates for each party; and a new method (the D'Hondt formula) for distribution of congressional seats, which is weighted in favor of larger parties. Ultimately, of the 52 parties registered with the National Elections Council, only ten survived the reforms. In general, the goals of the new rules—to strengthen the political party system, stop the proliferation of minor parties, and institutionalize organizations rather than individuals—were successfully met.<sup>2</sup>

<sup>2</sup> Juan Carlos Rodríguez Raga and Felipe Botero, "Ordenando el caos. Elecciones legislativas y reforma electoral en Colombia." *Revista de Ciencia Política*, 26 (1), Santiago, Chile, May 2006. (Forthcoming).

Since the political outlook in 2006 was so different from that of 2002, a different strategy for dealing with Congress was required. The bewildering 2002 scenario, noted for the proliferation of small, fragmented, personalist parties, was replaced in 2006 by three large blocs or tendencies: those supporting Uribe's re-election bid, a coalition of left-wing forces, and the traditional Liberal Party.

Uribe's re-election bid received support from several groups, including the traditional Conservative Party and former Liberal Party members who formed the new "*La U*" and *Cambio Radical* alignment. In a historic development, several leftist groups, both old and new, rallied around the academic former senator and Constitutional Court member Carlos Gaviria, who ran as the candidate of the *Polo Democrático Alternativo* coalition. Though it was weakened when many of its members swung toward *Uribismo*, the Liberal Party voted internally and submitted the candidacy of Horacio Serpa, who had previously been defeated in 1998 by Andrés Pastrana and in 2002 by Álvaro Uribe.

Uribe won the presidency and Congress by a large margin. He garnered 7,363,297 votes (62.2 percent); Carlos Gaviria won 2,608,914 (22 percent) and Horacio Serpa received 1,400,582 (11.8 percent). Government parties won 68 Senate seats and the opposition 28. While the voting process was uneventful, several key political changes took place, including:

1. The sheer size of the re-election vote and Uribe's clear majority in Congress. Uribe was given the tools to move comfortably ahead with his agenda and, at least on paper, he has much more political leeway than he did four years ago.
2. The Liberal Party's third-place finish. While this group dominated Colombian

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elections for decades beginning in 1930, it has progressively weakened over the past few years and hasn't won a presidential election since 1998.

3. The rise of the left. They received more votes than the Liberals in a presidential vote for the first time, while also achieving the best electoral performance in its history. In 2004, *Polo Democrático Alternativo* members won crucial victories, including the election of Luis Eduardo Garzón as mayor of Bogotá and other important local offices.
4. The collapse of “independent” candidacies, which a decade ago seemed like a promising alternative to the discredited traditional parties. Former mayor of Bogotá Antanas Mockus, for example, won just 1.2 percent of the presidential vote. In defiance of the political reforms, another former mayor of the capital city, Enrique Peñalosa, submitted a slate of congressional candidates to run in his name but failed to obtain enough votes for legal standing or to sit in the Senate.

### Challenges to Governance

#### *The Political Map after the Elections*

The political outlook is very favorable to President Uribe as he begins his second term in office. Still, there are a number of concerns, both within government and the opposition, that will prove to be difficult challenges over the coming years. In practice, the instruments of governance may be more precarious than they appear.

The first is the interpretation of electoral results. Everything seems to indicate that there has been a major leap forward in the reorganization of political parties and in establishing a system that better represents current voters. Yet, these changes are far from consolidated. It may well be that,

rather than structural change, what the reforms brought about was simply an adaptation to current circumstances. Traditional parties were intent on benefiting from Uribe's popularity while new parties were created simply in order to meet the new requirements. No one in the government or the opposition is certain that the new coalitions will endure.

In the government camp, the various *Uribista* parties<sup>3</sup> come from different backgrounds and have distinct methods and goals. Their ability to act consistently and in unison is certainly not guaranteed. Elections for the Speakers of the House and the Senate, Comptroller General (the head of the agency overseeing public spending) and the National Elections Council (the body overseeing elections) served as a warning about splits in the ruling coalition.<sup>4</sup> In these elections the opposition came out better represented than they were in Congress due to strategic errors and a lack of discipline among government parties.

More than just anecdotes, these examples lead to several conclusions about the loyalty of congressional majorities. The unity of the five *Uribista* parties is not a given. In fact, at times it appears as though favoring Uribe's re-election is all they had in common. Conflicting regional interests and political differences run deep. Some leaders (Juan Manuel Santos of “*La U*” and German Vargas Lleras of *Cambio Radical*, for example) are jockeying to succeed Uribe in 2010 and fighting each other for pork projects to bring to their constituents. Rather than a well-oiled political machine pushing the

<sup>3</sup>“*La U*” and *Cambio Radical*, mostly former Liberal Party members; the Conservative Party; *Alas/Equipo Colombia* (a merger of liberal and conservative currents); and *Convergencia Ciudadana* (independent).

<sup>4</sup>“El Campanazo”. *Semana*, July 24-31 2006, No. 1264, pp. 38-39.

government agenda, they appear more likely to form ad hoc blocs that will shift depending on the issue or the situation.

Cohesion among the opposition is not guaranteed, either. Although the left-wing *Polo Democrático Alternativo* won its largest share of the vote in the history of presidential contests and elected 15 senators and 20 representatives (about 15 percent of the total), its ability to expand and become a major political and electoral force remains to be seen. There is also the possibility that recent advances may come to an abrupt halt due to a lack of internal unity and leadership or from a renewal of the long-standing quarrels that have traditionally hampered cooperation.

The other component of the opposition is the traditional Liberal Party, which has no signs of life. In fact, it seems to be entering a period of decay in the manner of Mexico's *Partido Revolucionario Institucional*, Uruguay's *Colorado Party* or Venezuela's *Acción Democrática*.

Nevertheless, Liberals will do all they can to stay alive. In spite of their electoral disaster, they remain the largest party in the Senate and House of Representatives, if added together. Former president César Gaviria, their national director, has consolidated his leadership and became the first to survive party defeat in a presidential campaign. The recent debate also showed signs of succession-planning in the upper echelons. With Horacio Serpa's defeat and former president Ernesto Samper's affinity for the Uribe government, the torch has passed to a new generation. Gaviria has announced a "moderate" and "centrist" opposition, which will be open to compromises with the government on key issues. In 2007 they will run against *Uribistas* in municipal and gubernatorial races wherever their traditional support base gives them an advantage. Over

the long term, their best chances lie in bringing some of the leaders who defected to support Uribe back into the fold.

In essence, the key question is to what extent the emergence of large blocs—*Uribismo*, *Polo Democrático*, and Liberalism—is a structural trend or just a temporary electoral reshuffling. Do *Uribista* parties have the sense of mission required to survive over time? Can traditional parties regain a prominent role in a post-Uribe government? Or, more concisely, was the campaign of 2006 a step toward a redrawn political party map or toward a weakening of the party system, in the mold of Venezuela or Peru? While it is too early to say, the short-term outlook remains unstable, unpredictable, and constantly shifting.

#### *From Opinion Leader to Political Leader*

How will President Uribe behave now? His cabinet appointments help shed some light. Uribe kept eight of his 13 ministers in their posts and left his economic team largely untouched. While all the new members belong to *Uribista* parties, there are some notable changes relative to the first Uribe cabinet of 2002, which was hailed by the victorious outsider as a group of young experts, most of them political rookies, who would remain at their posts for the duration of the term.

The composition of the new cabinet reflects an effort to consolidate a base of political support and, more concretely, to guarantee the support of the parties that backed Uribe's re-election. Chief among the new cabinet members are the leader of "La U" Juan Manuel Santos, in Defense; Conservative Party Chairman Carlos Holguín in Interior and Justice, who has the difficult assignment of managing Congress; Maria Consuelo Araújo in Foreign Affairs, who is the sister of Senator Álvaro Araújo,

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one of the leaders of *Alas/Equipo Colombia*; and *Cambio Radical* representative Juan Lozano in Housing and Environment.

These appointments are intended to build a constructive relationship with coalition forces rather than to reinforce the President’s image as someone who challenges elites and instigates political change. The factors that led the President to appoint a Cabinet that is clearly meant to work with Congress include the need to diversify the government agenda beyond the single-minded focus on security that characterized Uribe’s first term and the need to abide by the new Caucuses Act that makes it harder to lobby for individual congressional votes and forces Uribe to deal with party whips. In fact, the President feels that political reform and the new Caucuses Act represent a shift toward a more parliamentary style of democracy. This means that the president believes that his tenure in 2006–2010 will be a cooperative government of sorts between him and Congress.

Strengthening and securing a coalition that supports his initiatives is expected of any president. The principal question is to what extent such transparent political maneuvering will tarnish Uribe’s image as an anti-politician. His historic approval ratings during his first administration translated into unprecedented leeway to govern. This was possible partly thanks to a communications strategy and management style unheard of in the history of the Colombian presidency. Uribe was close to the ordinary citizen; defied the traditional power of former presidents, political parties and the media; introduced a “traveling presidential office” initiative that made him seem ubiquitous; and held innovative, weekly “town hall meetings.” These programs cemented the popular perception of Uribe as a president who was accessible, hard-working and able to break away from traditional, discredited styles of governing.

Through his first four years in office, Uribe implemented with conviction and skill his outlook of engaging in “a permanent campaign.” He imposed his agenda on the media (with an emphasis on TV and regional radio broadcasters) and his acts, like few in recent history, were widely praised by a compliant, uncritical press. Guided by his motto, “A government which doesn’t campaign is destined to die,” he maintained a dynamic, animated style of constant engagement. Three particular battles—the October 2003 referendum, the re-election constitutional reform and the presidential campaign—helped channel the “permanent campaign” style and strategy.

What is certain to surface soon among *Uribistas* is the question of succession, a divisive issue that may well turn allies into competitors. Also, as noted below, Uribe’s second-term agenda is focused on unpopular economic reforms that may weaken him and reduce support among coalition members. This leads us to speculate that Uribe II will not be able to rule as a president whose sustained popularity gives him a significant autonomy and ability to govern, as Uribe I did. He may therefore have to appeal to more institutional, traditional and formal ways of governing. Is a less forceful and more conciliatory Uribe imaginable?

### The Agenda for 2006–2010: Ambitious Goals *Tough Economic Reforms*

Before the new Congress was sworn in this July, President Uribe surprised everyone with a speech in which he sidelined his usual themes of security and fighting the FARC.<sup>5</sup> Instead, he used his first appearance before a Senate and House solidly in his favor to lay out an agenda that emphasized economic issues.

<sup>5</sup> “¿Y el tema de la paz, que?, José Fernando Galán, *El Tiempo*, July 30, 2006, pp. 1-2.

Several factors, some strategic and some prompted by the changing needs of the country, explain Uribe's decision to change the agenda during his second term. First, the historical legacy of his re-election will depend on his achievements, not on the size of his electoral victory. He will be judged on whether he helped untie long-standing knots or caused a political catastrophe like Alberto Fujimori in Peru or Carlos Menem in Argentina. After successful first terms, both of these presidents clung to power with disastrous results, forced from their posts ahead of time amid raging political crises and rampant corruption.

Uribe does not want to be remembered merely as a "law and order" president. He is uncomfortable with his image as a "get-tough" leader who was less a statesman than a defense minister or as a right-wing politician largely unconcerned with human rights.

He would prefer a more nuanced perception of his sensibility and expertise. He wants to demonstrate that his re-election was not an institutional outrage or self-indulgent adventure, but a key opportunity to put an end to the paralyzing inertia of the previous years. Key sectors supported his second-term bid with the conviction that he would create conditions to finally enact long-postponed economic reforms. In the ultra-*Uribista* business community, supporting his re-election was synonymous with deferring economic reform from the first to the second term.<sup>6</sup> Among these groups, an assessment of Uribe's second term will depend on whether he succeeds at introducing such changes.

These reforms revolve around the need to ensure long-term fiscal stability. First-term economic results—even if some are a consequence of international developments—are

<sup>6</sup> "¿Ahora sí?, editorial in *Dinero* magazine, No. 258, July 21, 2006, p. 12.

satisfactory<sup>7</sup> compared with the previous decade. Maintaining this success requires the creation of domestic conditions to sustain long-term growth. Colombia lost its investment-grade rating in the 1990s, and getting it back will depend nearly exclusively on its ability to rein in the budget deficit.

At the congressional swearing-in ceremony on July 20th,<sup>8</sup> Uribe submitted a package of reforms and announced his intention to get them passed as soon as possible.<sup>9</sup> Most measures are unpopular, demand sacrifices, and are not politically beneficial for congressional representatives. A chief concern is tax reform. Following several unsuccessful attempts—some before Uribe's term—a consensus exists that the tax system needs structural changes if it is to ensure a revenue flow capable of sustaining fiscal outlays, correcting distortions brought about by botched reforms, increasing the overall tax revenue stream, and improving transparency.

Tax experts and business sectors have demanded comprehensive, substantive reform of the tax system for years. Following a number of specific "reforms" designed to increase short-term revenue flows through quick revenue generation measures, the system has several flaws. Revenue is insufficient, much of the population pays no taxes, and the system is complex, opaque, and unfair.

<sup>7</sup> GDP growth: 4.8 percent in 2004 and 5.1 percent in 2005, highest since 1995. Employment: 11.5 percent. Inflation: 4.12 percent in 2005, lowest in decades. Investment: up 23 percent in 2005, largest increase since 1998. Household consumption: 4.89 percent, largest in 15 years. Source: Finance Ministry.

<sup>8</sup> "Metas de Uribe en segundo tiempo." *El Tiempo*, July 21, pp. 1-2.

<sup>9</sup> Including tax reform lowering income taxes; a fixed property tax; VAT on currently exempt items; cuts in transfers to departments and municipalities; revamping the Social Security Institution; selling off a 20 percent bloc in state-owned Ecopetrol, and FTA passage plus farming subsidies for those affected by U.S. imports.

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The draft proposal submitted by Finance Minister Alberto Carrasquilla contains controversial measures such as income tax cuts (criticized for favoring the rich), a value-added tax for currently exempt items (criticized for affecting low income earners, although it does include an intricate refund plan for those most disadvantaged), tax breaks for corporate reinvestment (criticized for favoring the wealthy), and property taxes (created in a transitional form during Uribe's first term).

Government sources say that the proposed reform is revenue neutral and increasing government income is not a fundamental objective. Instead, it is focused on putting the system in order by simplifying and reducing tax forms and mechanisms, making taxation more transparent, and encouraging growth and investment among businesses most capable of creating new jobs.

The proposal is contradictory in two ways.<sup>10</sup> It is meant to preserve the revenue flow, but it increases subsidies and exemptions for business investment (which is an expense). Second, it conflicts with ambitious health and education proposals. In late October 2006, Uribe launched a well-received program to fight poverty. The goal is to reduce the poverty level from its current rate of 49 percent of the population to 39 percent in 2010 and to 19 percent in 2019, the bicentennial of Colombia's independence.<sup>11</sup> This ambitious program may be incompatible with the concurrent need for deficit reduction. The chances of passing orthodox reforms in Congress without significant changes are slim and the political cost may be substantial.

<sup>10</sup> Javier Fernández Riva, "Excesiva generosidad," *Dinero*, No. 259, August 4 2006, p. 38.

<sup>11</sup> "Pobre País," *Semana* (Cover story), No. 1.276, October 16 to 23.

Uribe's economic agenda has other components that may also require substantial political sacrifices. The President is committed to constitutional reforms that reduce transfers to departments and local governments. This is a crucial issue from the standpoint of fiscal health and macroeconomic stability, and international risk rating agencies and the global financial system are watching closely. Yet, the package has to be approved by representatives whose regions stand to lose revenue under the proposal.

To modernize and streamline the Colombian state while reducing bureaucratic red tape, President Uribe has proposed a reform of ancient, outdated institutions such as Social Security. This may be reasonable from a purely technical point of view, but it will be very difficult from a political perspective, because unions and public opinion would regard such measures as a confirmation that the government is indifferent towards social problems.

Also facing an uphill battle in Congress is the equally indispensable free trade agreement with the United States. Criticism of the proposed FTA was a key point for opposition (*Polo Democrático* and Liberal Party) candidates during the electoral campaign. Critics range from ideological opponents of neoliberalism to representative of sectors of the economy that are vulnerable to foreign competition.

### *Security: Uribe's Hallmark*

While President Uribe emphasized his economic agenda in his speech to Congress, in his inauguration speech on August 7th Uribe returned to the issue with which he is most associated: security. His foray into other political areas does not imply that combating violence will cease to be a top priority.

Prospects in 2006, however, are very different when compared with 2002. As Uribe was being inaugurated four years ago, the FARC, the country's largest guerrilla group, launched mortar attacks against the Presidential Palace. This time, during the week before Uribe took office the FARC attempted to launch countrywide attacks again, but they did not have nearly the impact of those four years ago. This anecdote shows that the challenge posed by the FARC has diminished. The "democratic security" policy of the past four years has weakened the guerrillas' ability to act. The security situation has improved: murders dropped from 28,837 in 2002 to 18,039 in 2005, kidnappings fell from 2,986 to 800 in the same period, and terror attacks dropped from 1,645 to 611 from 2002 to 2006.<sup>12</sup>

This has several political consequences. The public may feel that the job is done, so violence is starting to give way to social issues on their list of priorities. A President occupied with fighting the FARC is not compatible with an electorate anxious for economic growth and poverty reduction.

Public expectations are that government policy will now shift toward talks with the FARC. The President himself has made gestures that seem to indicate that he intends to seek a political settlement. There is little doubt that the first president to win reelection in more than a century wants his greatest legacy to be an end to armed violence—the most vexing problem ever to face the country.

During his campaign, Uribe spoke of the need for bridge-building with the FARC. After the election he met with Álvaro Leyva, a former opponent who attacked him mercilessly for his refusal to negotiate a peace

agreement or even secure the release of soldiers and civilians kidnapped by the FARC. Engaging such an acrimonious political enemy seems an indication of a shift in policy. Uribe's new team of advisors includes people with sophisticated knowledge of the FARC and an ability to work with them. There are indications that Uribe has also sought to enlist third parties such as France, Spain and Switzerland in brokering a preliminary dialogue or a prisoner exchange.

Early this year the government held talks in Cuba with National Liberation Army (ELN) members, laying out the agenda for building a peace process. ELN spokesmen were subsequently released from prison (Francisco Galán) or had arrest warrants suspended (Antonio García). The common thread in these developments is that they were a necessary confidence-building step toward potential peace talks during Uribe's second term in office. The initiation of a formal peace process was announced following a new round of talks in late October.

An additional component of Uribe's "democratic security" policy—negotiations with the United Self-Defense Forces of Colombia (AUC), a right-wing paramilitary group, also seems set to undergo a shift. The end of Uribe's first term coincides with the end of the first stage of paramilitary demobilization. The second term will bring a different challenge: the reintegration of 35,000 former combatants. Uribe appointed well-known businessman and presidential advisor Frank Pearl to take over this complex task. The President seems intention leaving behind the debate on justice, peace and reparations measures and delegating the task of demobilization as if it were simply an administrative issue.

Nevertheless, the FARC, the ELN and the AUC all agree that there are unresolved issues, unmet challenges, and potential snags.

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<sup>12</sup> "Balance Presidencial," *El Tiempo*, August 6, 2006, p. 1-2.

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The probability of negotiating with the FARC is not clear. In his inauguration speech Uribe was prudent and skeptical, “I must say that I am concerned about the risk of not achieving peace and backsliding on security.”<sup>13</sup> The prospects of an improvement in relations with the FARC—which are undoubtedly on the President’s mind—seem limited.

Observers point out that some difficulties lie ahead: the need to further weaken the FARC, which is an unmet goal in spite of important strides; the need to move the military out of formerly FARC-controlled zones and reintroduce state institutions;<sup>14</sup> and the need to watch for changes in FARC strategy as they become better acquainted with the strengths and weaknesses of Uribe’s “democratic security” policy.<sup>15</sup> On October 18, a car bomb exploded at a military facility in the heart of Bogotá’s business district. Uribe reacted furiously in a forceful speech denouncing the attack. He announced the immediate suspension of preliminary talks to negotiate the exchange of imprisoned guerrillas for 57 military and public figures kidnapped by the FARC. While polls showed support for Uribe’s speech, the reaction from the media was mixed and victims’ families had a negative response. There were calls for Uribe to leave the door open to future talks.<sup>16</sup>

Neither are talks with the ELN a matter for unqualified optimism. In spite of preliminary overtures in late 2005 and early 2006, expectations of quick, straightforward talks are unfounded. Although the ELN is weak

and exhausted and internal opinion seems to be leaning toward political rather than armed struggle, talks still face several stumbling blocks. The first such obstacle is that the ELN overestimates its own negotiating position. The second is a certain government nonchalance that regards the ELN as marginal to its security policy interests. The third hurdle is a well-known split between the more radical leadership faction and the ELN spokesmen, who seem more inclined toward peace talks.

Finally, negotiations with AUC are far from complete, and key decisions are still pending. The effort to define the legal framework regulating demobilization—peace, justice, and reparation—has been tortuous and remains unfinished. Although Congress approved Uribe’s controversial demobilization legislation, an appeal by the Constitutional Court made it harsher. The government responded with an executive order that seeks to soften the court’s ruling and adjust conditions closer to the intent of the original legislation. Meanwhile, 35,000 demobilized ex-combatants—including militia commanders—await a resolution.<sup>17</sup> Wrangling over these issues has often brought the entire process to the verge of collapse.<sup>18</sup>

Several other challenges remain. While many AUC leaders are wanted for extradition to the U.S., demobilization regulations do not clarify the issue. In a sleight of hand as innovative as it was controversial, President Uribe approved the extraditions, then suspended them on the condition that disarmament and demobilization continue. Uribe is caught in a tug-of-war.

<sup>13</sup> “Las claves del discurso del Presidente.” *El Tiempo*, August 8, 2006, p. 1-2.

<sup>14</sup> “Desafíos a la seguridad.” *El Tiempo* (editorial), August 9, 2006, p. 1-14.

<sup>15</sup> “El nuevo reto estratégico.” Román D. Ortiz, *El Tiempo*, August 9, 2006, p. 1-15.

<sup>16</sup> “Dejar puertas abiertas,” *El Tiempo* (editorial), October 22, 2006, p. 1-26

<sup>17</sup> Conditions still on the negotiating table include: (1) Whether reduced terms (5-8 years) for crimes confessed upon demobilization apply to previous sentences; (2) Whether benefits are forfeited if crimes are not confessed upon demobilization; (3) Inventory and method for assessing goods and property to be used as reparations to victims; (4) The political status of former combatants.

<sup>18</sup> “Una paz machetera.” *Semana*, No. 1264, July 24-31 2006, p. 42.

Paramilitary warlords want a formula that guarantees them immunity from extradition, while sectors in the U.S. want extraditions to go ahead.

In addition, there are serious concerns about the direction that demobilized paramilitary groups will take. Surrendering weapons is one thing but dismantling structures is another—especially if not all weapons are surrendered. In some regions, paramilitary bands remain in close contact with local administrations and continue to engage in crimes, leading observers to conclude that they will maintain their structure and protect drug traffickers as purely criminal organizations, in the manner of Central American *maras*.<sup>19</sup>

Finally, Uribe's policy has little legitimacy on the international level. He has made a concerted effort to "explain" the process diplomatically and to seek cooperation in areas such as verification and financing of demobilization efforts. So far, Uribe has achieved little: an inadequate agreement with the Organization of American States (OAS) and official statements of tolerance that balance harsh criticism from human rights organizations. As he enters his second term, Uribe certainly has a difficult task ahead of him.

### Should Foreign Policy be Broadened?

The international arena has undergone significant changes since 2002. Combined with transformations in the domestic agenda, there is a need for a shift in foreign policy.

The backbone of Uribe's first term in office was the fight against the FARC. His "war on terror" was a perfect complement to George W. Bush's foreign policy after 9/11. This commonality of objectives helped forge a close alliance based on the

Plan Colombia foundation laid by the former Pastrana administration.

Uribe clung to Bush as a strategic ally with few demands as they cooperated on a common goal: to defeat terrorism. Uribe aligned himself with Bush's controversial worldview in exchange for continued funding for Plan Colombia and political support for his AUC demobilization process. The price he paid was the deterioration of relations with neighboring countries, alienation from new political trends in Latin America, and the withdrawal of key actors such as Europe and the United Nations (UN).<sup>20</sup>

Is Uribe's policy sustainable through 2010? In the section below I will argue that change is needed.<sup>21</sup> During the electoral campaign most contenders agreed on the need to diversify foreign policy, relieve tensions with neighboring countries, and rebuild ties with Europe and the UN. These predictable changes are driven by two factors. The first is the need to adjust to changing realities in the United States and Latin America. The second is the need to consolidate a viable peace process that doesn't end with confronting guerrilla forces or demobilizing the AUC and that is open to contact with the FARC and the ELN.

For the United States, foreign policy priorities in 2006 are not the same as they were for the past four years. Middle East issues dominate the White House agenda as Iraq continues to require resources and attention. Iran and North Korea remain defiant. In such a complex scenario, President Bush is unlikely to give Latin America the attention he promised before 9/11. In fact, some doubt his ability to pass recently agreed free trade agreements with several countries

“ Surrendering weapons is one thing but dismantling structures is another. ”

<sup>19</sup> "Relevo criminal." *Semana*, No. 1262, July 10-17 2006, pp. 35-36.

<sup>20</sup> "Un país problema en un mundo intervencionista," Rodrigo Pardo. (Mimeo), 2005.

<sup>21</sup> "La herencia," Rafael Nieto. *Semana*, No. 1266, August 7-14, 2006, p. 69.

“ Can Uribe maintain his special relationship with the United States while seeking improved relations with Latin America. ”

—including Colombia—especially if protectionist forces control Congress after the November elections.

Latin America has also undergone major changes. The recent wave of presidential elections shows the emergence of a strong “leftist bloc” that is highly critical of U.S. foreign policy and the bloc of countries that support it. The first of these “two Americas” is in the south while the second is centered in Mexico, Central America and northern South America. The tension between these two visions was evident at the Summit of the Americas in Mar del Plata, Argentina, on the eve of the war in Iraq, and in the most recent election for a new OAS Secretary General.

As noted, President Uribe wants to diversify his domestic agenda, moving from democratic security in the first term to negotiation with guerrillas and from demobilization of the AUC to reintegration in the second term. As a result, his foreign policy needs are very different. His position as Bush’s unconditional ally will not help him in his attempts to negotiate with the FARC, even for a humanitarian deal. This is especially unappealing if such a position implies taking on the role of counterweight to Hugo Chávez and having distant relations with the rest of a largely social democratic Latin America.

Further AUC talks require engagement, not withdrawal, from Europe and the UN, especially because the decisions that are still pending are those that are regarded as controversial by the international community. The “new” Uribe needs a diversified foreign policy, and some of his recent gestures—constructively engaging Hugo Chávez, closer ties to Latin American nations, signs of assuming a mediating role between Evo Morales and the U.S.—suggest that he is fully aware of this need. Does he have the latitude he needs?

Can he maintain his special relationship with the United States while seeking improved relations with Latin America (and eventually Europe and the UN)? These are the foreign policy challenges President Uribe faces as he begins his second term.<sup>22</sup>

In his second term, Álvaro Uribe will seek continuity with the U.S. The challenge is not to reevaluate the relationship, but rather to preserve the current partnership and cooperation levels. However, there are reasons why this is by no means assured.

First, Colombia might drop off Washington’s radar screen. Fiscal troubles, the political crises in the Middle East and the Iraq debacle are major concerns for the Bush White House. If these issues remain at the top of the agenda, the White House will find it harder to justify budget allocations for other purposes.

An additional stumbling block might be the growing congressional unwillingness to help the White House maintain its special relationship with Uribe. Concerns exist about the paramilitary negotiation process, especially over light sentences or amnesty for serious crimes, which is contrary to the justice and peace legislation. There are also fears that drug-trafficking militia members that were offered benefits in exchange for demobilization include some that are wanted in the U.S. for extradition. There is unease about army conduct as well. Although these incidents are fairly minor in comparison with overall levels of human rights abuses, specific army units under investigation for violations have had their funding frozen. Past concerns include a murky episode in which a group of antinarcotics police officers were shot and killed by an army detachment.

<sup>22</sup> Rodrigo Pardo, “Un país problema en un mundo intervencionista”. In Francisco Leal (editor), *En la Encrucijada: Colombia en el Siglo XXI*. Bogotá, Grupo Editorial Norma, 2006. pp. 545-574.

The antinarcotics police force, a pillar of Plan Colombia, itself inspires fear. The result of recent illicit crop eradication drives are far from satisfactory<sup>23</sup> in light of increasing signs that growers have relocated elsewhere and become even more productive. Aerial spraying on an unprecedented scale has failed to make a dent in the overall supply. This has increased skepticism of the effectiveness of the program and the efficiency of U.S. drug control spending in Colombia.<sup>24</sup>

As noted, the FTA ratification debate will be tough in both countries and these issues are likely to surface.

On the other hand, there are good reasons for the U.S. to maintain positive relations with Colombia.

Bush's controversial foreign policy boasts few cases that have been as successful as Colombia. Assistance from the U.S. has helped reverse the severe institutional erosion and guerrilla military gains of the 1990s. All the indicators are positive on the security front, which has had beneficial consequences for the economy.

In addition, Colombia is an important strategic partner for the U.S. given the current panorama of the Andean subregion, particularly with respect to Hugo Chávez. There is a kind of triangulation in the relations between the United States, Colombia, and Venezuela. As President Chávez's discourse and intentions become more radical, supporting a friend and ally such as Álvaro Uribe makes strategic sense and has continued value.

<sup>23</sup> Optimism in the early 2000s faded in 2005. In spite of aerial eradication programs, land under cultivation grew in size, and apparently, productivity, as larger yields are being obtained from fewer plantations. World Drug Report 2006, UN. See also: "Error de calculo," *Cambio*, July 31, 2006.

<sup>24</sup> *The New York Times* calls Plan Colombia "a failure" in this respect. *The New York Times*, August 19, 2006.

Finally, in spite of examples of human rights abuse such as those noted above, U.S. assistance has had a demonstrably positive effect on Colombia's Armed Forces—not just from the standpoint of the effectiveness and results of anti-guerrilla operations, but also in terms of corruption and violence. U.S. assistance has helped break the close ties that existed between Army officers and paramilitary groups as recently as a decade ago.

Leaders will soon have to determine whether an alliance founded on continuing Plan Colombia and ratifying the FTA remains feasible. Pending these decisions, U.S.–Colombia relations stand at a critical crossroads. In the medium term, both countries will likely have to live with reduced assistance levels. Assistant Secretary of State of the Bureau for International Narcotics and Law Enforcement Affairs Anne Patterson has stated that "financial aid may decrease over time as Colombia is able to act more independently thanks to better tax collection."<sup>25</sup> In a visit to Bogotá in October, Nicholas Burns, Under Secretary of State for Political Affairs, underscored the Bush Administration's intention to maintain its support for a second phase of Plan Colombia, but he also mentioned the long-term need to replace U.S. aid with domestic resources.<sup>26</sup>

In contrast to his relations with the U.S., Álvaro Uribe's second-term policy toward Latin America involves change, not continuity. The political map has shifted. Fortunately for Uribe, whose close alignment with the U.S. and emphasis on security often make him seem like the only right-wing leader in a continent overtaken by social democrats, recent elections in Peru and Mexico have put an end to successive leftist wins. This factor

<sup>25</sup> "Estados Unidos reduciría ayuda para el Plan Colombia." *El Siglo*, 11 August, 2006, p. 3.

<sup>26</sup> "Vamos a ayudar a vencer a las FARC: Burns." *El Tiempo*, October 26, 2006, p.1-4.

“As President

**Chávez's discourse and intentions become more radical, supporting a friend and ally such as Álvaro Uribe makes strategic sense and has continued value.**”

“ Given the vast ideological differences between the two presidents, the border between Colombia and Venezuela is often seen as the border between “the two Americas.” ”

will help offset the isolation Uribe felt during his first administration.

Uribe’s most critical foreign policy challenge in Latin America comes from Venezuela. Given the vast ideological differences between the two presidents, the border between the two countries is often seen as the border between “the two Americas.” Their disagreements over the past four years have had a negative impact on the bilateral agenda. There were critical moments, especially the Caracas arrest in early 2005 of FARC member Rodrigo Granda. The bilateral agenda withered, ties weakened, and relations became increasingly dependent on sporadic meetings between the two presidents. Venezuela’s withdrawal from the Andean Community in order to join Mercosur (a five-year process) shattered a range of international instruments whose usefulness had been proven more than once over the past decades. Chávez’s elevated global profile, increasing radicalization and high military spending may translate into more troubles than opportunities.

Nevertheless, as both presidents entered an election year with re-election assured there was a slight rapprochement. They held cordial meetings in which they agreed on an ambitious energy agenda, including the Venezuela-financed construction of a pipeline to pump Colombian gas to Venezuelan homes.

Will cooperation or latent conflict ultimately win out? Following the elections, a comprehensive review of the relationship is now needed.<sup>27</sup> Mechanisms created in the 1990s in order to deal with border security and integration issues have become obsolete, chiefly because Chávez considers them a legacy of the “Fourth Republic.” Absent a new institu-

tional structure, a diversified bilateral agenda and reduced dependence on presidential summits is next to impossible. This, in addition to ideological differences, Venezuelan mistrust of Uribe’s friendship with the U.S. and Colombian fears about Chávez’s affinity for Colombian guerrillas, makes for a scenario vulnerable to new tensions.

Such a narrow framework, however, threatens to preclude discussion of issues that have been growing in importance within the past few years, such as the activity of Colombian armed bands in border areas and the growing use of Venezuelan territory by Colombian drug traffickers. While the “triangulation” of relations with Caracas and Washington strengthens Uribe’s hand with the U.S., it would make more sense for him to implement a pragmatic Venezuela policy and avoid the worsening relationship between Chávez and Bush.

Relations with Ecuador are also in need of some repair if they are to recover from their recent “Venezuelanization”—including a rash of diplomatic crises arising from Colombian armed groups marauding on both sides of the border. As Plan Colombia becomes an issue in domestic Ecuadorian affairs, a hard-line policy towards Colombia pays dividends with voters in Ecuador. However, since these issues are fairly recent and are perceived as a subset of the issues with Venezuela, they have failed to garner the same attention within Colombia.<sup>28</sup>

Relations with the subregion are also in need of new initiatives. Venezuela’s withdrawal from the Andean Community is forcing a review of fresh options. As an instrument of subregional policy and understanding with

<sup>27</sup> Socorro Ramirez and José María Cárdenas, *Colombia-Venezuela, retos de la convivencia*. Universidad Nacional de Colombia, 2006.

<sup>28</sup> Socorro Ramirez, “Frontera colombo-ecuatoriana: de línea de combate a zona de desarrollo e integración.” *UN periódico*, (Journal of the *Universidad Nacional de Colombia*), September 3, p. 10.

the European Union (EU), a Community of Andean Nations (CAN) weakened by the loss of Venezuela is preferable to no CAN at all.

At his inauguration Uribe spoke with Chilean president Michelle Bachelet about a potential FTA and cooperation among Latin American Pacific Rim nations for improved access to Asian Pacific markets. Though these are long-term and difficult propositions, they are very attractive from the standpoint of offsetting CAN losses and diversifying Colombia's foreign policy.

Finally, in spite of his limited agenda, Álvaro Uribe will seek to improve relations with Europe and the UN. The relationship with Europe has faced serious obstacles in the past few years, including the fact that Latin America is not a priority for the EU and the lack of European interest in brokering AUC talks. The EU has issued two key pronouncements on Uribe's policies: the 2003 Declaration of London as well as its stance on the justice and peace laws passed by the Colombian Congress in 2005. Both express support for the Colombian government plans but reveal little genuine interest or lasting commitment. They place greater importance on human rights issues and on emphasizing truth, justice and reparation in the AUC demobilization process.

During the Uribe administration, the UN drifted away from the active role it took in the peace process launched by the government of Andrés Pastrana. Uribe has criticized the reluctance of the UN to get involved in the AUC demobilization process. The UN has pulled out its special envoy and there has been talk of limiting the UN High Commissioner for Human Rights to merely an advisory role.

A second Uribe administration should rebuild ties to the EU and the UN, especially if pros-

pects for talks with the FARC improve. Is this possible? As noted, limitations exist that deflate any high hopes. Distant support for the AUC process and a marginal role in potential FARC talks may be within the realm of possibility. Still, this will only come to pass if Uribe moderates his views on issues such as his support of Bush's foreign policy, his grievances with non-governmental organizations, and his criticism of human rights organizations.

### Conclusion

The presidential re-election debate of the past two years revolved around the potentially harmful institutional effects of amending the constitution to benefit the sitting government.<sup>29</sup> The experience of other Latin American countries that did so—including Peru and Argentina—was generally negative. But proponents argued that assuring the continuity of a president who had achieved unprecedented levels of connection with the Colombian people was an opportunity that a country beset by violence, crime, and the drug trade could not afford to miss.<sup>30</sup>

Which of the two views was correct? Only Uribe's second term will give a definite answer. Re-election certainly poses institutional risks. Changing the rules of the game midway in order to favor a sitting president may set a dangerous precedent. The worst possible scenario is the experience of neighboring countries such as Venezuela and Peru, where re-election concentrated power in a few hands and eliminated checks and balances, eviscerating political parties and the opposition.

The parties involved in the past presidential election in Colombia can show that

<sup>29</sup> Jaime Castro, *Postdata a la reelección*. Panamericana Formas e Impresos, Bogotá, 2005.

<sup>30</sup> José Odulio Gaviria, *Reelección, que el pueblo decida*. Editorial Planeta. Bogotá, 2004.

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they were not merely instruments of Uribe's reelection by staying alive and coalescing into stable, relevant political players. The breakdown of traditional parties remains a matter of concern and the performance of oversight institutions now in the hands of political friends of the President will have to be watched closely. The Office of the Public Prosecutor (a self-governing institution under the constitution) is run by a former deputy minister of justice in the first Uribe administration. The Comptroller General (who oversees public spending) recently chosen by the Uribe-dominated Congress is a former leader of his re-election campaign. In coming months this trend may extend to the *Procuraduría* (a body overseeing the public service), the *Registraduría* (organizer of elections), and the Constitutional Court. While appointment methods may vary, chances are that more *Uribistas* will be named to fill new spots as they become vacant.

None of the above scenarios can be fully understood without reference to Colombians' traditional respect for their institutions, which is unique among its neighbors. While the euphoria following Uribe's resounding victory at the polls has led some to propose another constitutional amendment allowing him to stand for a third term, the Constitutional Court ruling on re-election all but closed the door on the possibility. The court wrote that congressional authority to allow re-election was to be considered a one-time opportunity. *Uribista* party leaders and the public are unlikely to support a third term.

Some government supporters argue that Uribe's re-election has positive institutional

implications, especially in the aftermath of reforms that strengthened the hand of political parties. The opposition, for its part, now has a chance to rally together and acquire a relevance it has not had in the past. The result may well be a completely redrawn political map, with two discrete, competitive ideologies—right and left—giving the electorate clear options.

Uribe's new mandate might also provide a chance to end the long-standing bureaucratic, political and ideological inertia that paralyzed decision-making or restricted it to issues of narrow consensus. Introducing fiscal reform and putting the economic house in order while maintaining security achievements, was inconceivable in the past, but now appears possible.

In a country that has found a middle course between ideological and institutional extremes found elsewhere in the hemisphere, a second-term Uribe will be neither a Fujimori nor a messiah. He will neither be as bad as his opponents predict, nor as good as his supporters claim. Colombian institutions are not as fragile as to be overly vulnerable to the excesses of a single ruler, nor are problems likely to be solved in eight years. Whether risk or opportunity prevails will depend on external factors, primarily economic success, and on Uribe's skill in negotiating greater political obstacles than the ones his first administration faced. He may lose popularity but gain effectiveness in terms of tackling and completing fundamental reforms and structural change. Uribe's legacy will certainly matter more to the court of history than his standing in the polls.

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