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Theoretical
Impulses + Case
Studies

Interdisciplinary Perspectives on the Interplay between Human Rights and Sustainability

Prof. Dr. Milena Valeva,
Prof. Dr. Kathrin Nitschmann (Ed.)

InDi 

Institut für Internationale &
Digitale Kommunikation

Trier University
of Applied Sciences

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Preface

The following collection of manuscripts emerged from an interdisciplinary virtual exchange held during the Winter semester of 2023/2024 at the Environmental Campus Birkenfeld, organized by Prof. Dr. Milena Valeva and Prof. Dr. Kathrin Nitschmann. Additionally, Prof. Dr. Héctor Bombiella Medina, a lecturer of anthropology in the Department of World Languages and Cultures at Iowa State University, contributed to the virtual exchange and supervised case studies 3 and 4, bringing his extensive experience in this field and facilitating the international exchange. Within the elective module on Human Rights, students from the Bachelor's programs "Nonprofit and NGO Management" and "Environmental and Business Law," as well as the Master's program "Energy and Corporate Law," explored the interconnections between human rights and sustainability.

In an era marked by unprecedented environmental challenges and profound social transformations, the intersection of human rights and the rights of nature has emerged as a critical area of inquiry and debate. Today, as we face the dual crises of climate change and biodiversity loss, the traditional boundaries between human and environmental rights are increasingly blurred. This confluence demands a fresh, interdisciplinary approach to understanding and addressing the complex and interrelated issues at hand.

Human rights, fundamental to the dignity and freedom of individuals, are deeply impacted by environmental degradation. Communities worldwide are experiencing firsthand the devastating effects of polluted air, contaminated water, and deforested landscapes, all of which undermine basic human rights to health, livelihood, and well-being. Conversely, recognizing the rights of nature – the intrinsic value of ecosystems and species – challenges us to reconsider our legal, ethical, and philosophical frameworks. It calls for a paradigm shift from an anthropocentric world-

view to one that embraces the interconnectedness of all life forms.

Engaging in robust discussions and research on these topics is essential in today's context. By exploring interdisciplinary perspectives, we can forge innovative solutions that honor both the rights of individuals and the integrity of nature. This special issue aims to contribute to this vital discourse, providing insights and fostering dialogue on how we can collectively navigate the complex landscape of human rights and environmental sustainability.

The first chapter „Human rights and SDGs in the context of democracy“ examines the significance of international human rights in today's context and links them to new value systems like sustainability.

The second chapter, the case study „Rights of Nature“ explores the concept of granting legal rights to nature itself by comparing laws from various countries to show how it combats environmental exploitation.

The third chapter, the case study „Traditional coca leaf consumption and drug trafficking in Colombia“ delves into the complex issues surrounding coca cultivation in Colombia, highlighting its economic, social, and political impacts.

The fourth chapter, the case study „The artisanal fishing community of Chorrillos, Peru“ aims to provide theoretical insights and recommendations for improving the livelihoods of artisanal fishing communities in Peru, considering legal, ethical, and environmental perspectives as well as how economic liberalization, privatization, and deregulation affect the community's socio-economic conditions.

3

Case study
**Traditional coca leaf
consumption and
drug trafficking in
Colombia**

Prologue

Author: Prof. Dr. Héctor Andrés Bombiella Medina

Does the legal eradication of illicit crops in Colombia negatively impact the human rights of rural social groups living in the surrounding areas? Furthermore, can political and legal experiences of Germany contribute to this discussion? If you find these questions compelling, please keep reading. Through a set of papers, this section addresses the intricate relationship between human rights and the various policies that Colombian governments have implemented over the last few decades to eradicate illicit crops, in particular the coca plant.

This is not a straightforward conversation. The situation must be addressed from multiple perspectives. The authors are well aware of this challenge. The political and economic dimensions are in permanent feedback with the cultural and environmental aspects of the issue. In this context, discussions related to the traditional uses of coca leaves by indigenous people and the sustainability of eradication schemes, are addressed. Furthermore, the influence of United States-led geopolitics on Colombian internal decisions is a central aspect analyzed in these papers. As mentioned by Heyd, "The USA has essentially been the only country that has supported the fight on drugs from the prohibition/sanction approach." This chapter takes an overview approach sparkling on the reader the intention to learn more about Colombia and the coca situation.

Colombia is the leading producer of cocaine in the world and has the largest cultivated area of coca plants. According to the Colombia Coca Survey of the United Nations Office on Drugs and Crime (UNODC, 2021), in 2020 there were 143 thousand hectares of coca crops throughout the territory, noting a reduction of 7 percent compared to 2019, which had 154 thousand hectares. Although there was a decline in cultivated area, cocaine production increased as the average yield per hectare rose by about 18 percent, from 6.7 kilograms in 2019 to 7.9 kilograms per hectare in 2020. Addi-

tionally, almost half of the coca plantations are located in territories with special protection, including areas of cultural, natural or eco-systemic interest, like indigenous reserves or black Afro-Colombian communities' collective territories, natural parks or protected areas.

In the Andean region, coca cultivation for traditional, medicinal, and mystical purposes has been practiced for centuries. Today, indigenous people from various areas in Colombia, Bolivia, Ecuador, and the Peruvian mountains advocate for the ancestral use of the coca plant. Indigenous communities in Colombia that support the use of coca leaf are found in the northern Caribbean region as well as in the southern border states of Cauca, Popayan, and Nariño. This means that discussions about territory, while geographically specific, cannot be considered in isolation; any policy allowing a specific use must be reflected across all relevant areas. Furthermore, there is a wide range of traditional uses of the coca leaf. Some indigenous groups focus exclusively on its mystical use, while others, with a less strict approach, also advocate for its therapeutic and nutritional potential (Pinto-Marroquin et al. 2022). Everyday further layers of meanings and uses of the plant continue appearing.

The internal armed conflict in Colombia represents a major dimension that is often addressed separately from other issues. However, it was only after the cocaine boom in the 1980s and 1990s that the massive cultivation of coca plants became widespread. Radical left-wing guerrilla groups emerged in Colombia during the 1960s, following the betrayal and abuse of peasant communities by state security forces led by elites and large landowners. While the conflict has multiple roots, most are linked to land tenure, the capacity to exploit land, and institutional opportunities to access and enjoy basic rights. The lack of state presence and the international environment also created conditions that allowed for the consolidation and

Indigenous communities in Colombia that support the use of coca leaf are found in the northern Caribbean region as well as in the southern border states of Cauca, Popayan, and Nariño. This means that discussions about territory, while geographically specific, cannot be considered in isolation; any policy allowing a specific use must be reflected across all relevant areas.

escalation of guerrilla groups and their eventual political counterparts. Over time, cocaine and drug trafficking resources gradually became the main source of income for guerrilla armies, making them major players in various links of the drug trafficking value chain.

Aligned with U.S. foreign policy to combat drug trafficking, the Colombian government implemented aggressive anti-narcotics campaigns, primarily through aerial spraying of glyphosate and forced eradication of coca crops. The main focus of the policy was to target the first and most vulnerable link in the cocaine trafficking network: the landless peasants, who were often presumed to be either guerrilla employees or collaborators. Assuming that peasant families were associated with armed groups made it easier for the government to justify aerial fumigation. However, this perspective only addresses the leftist guerrilla aspect of the issue and must be considered alongside the role played by paramilitary forces during this period.

In this chapter, the authors do not shy away from these complexities but embrace them, seeking alternatives for understanding the situation without overlooking relevant variables. How do you approach research that must account for historical, environmental, cultural, political, and econo-

mic dimensions? You either choose a specific topic or aspect and begin to untangle its components, or take a broader view and, using a catalyst- such as the human rights discourse- attempt a comprehensive approach. In other words, the articles allow to see the authors' interest connecting the dots and bring the discussion back to the human rights' predominant narrative.

In the first article, Cara-Maxine Heyd, examines the complex relationship between USA war on drug policies and their impact on human rights for Colombia. It reflects on today's relevance of the Universal Declaration of Human Rights (1948) as a framework for identifying and defining human rights. The article briefly addresses the use of glyphosate against coca plantations and the Colombia-U.S. Free Trade Agreement. It presents data on the historical growth of coca plantations and describes the affected social groups and regions, including peasant communities and deforested areas. She examines how various strategies to control coca cultivation, including aerial spraying with glyphosate, have impacted human rights, particularly the right to adequate living conditions. The use of glyphosate has affected over 100 thousand hectares, impacting numerous social groups, including landless peasants, indigenous peoples, and displaced communities by the internal conflict. The negative effects extend beyond health and livelihood, exacerbated by the illegality and social stigma associated with coca cultivation, which complicates institutional responses.

Subsequently, the author explores how several human rights are impacted by eradication schemes related to coca cultivation. For the right to work, peasant growers, as the initial link in the cocaine value chain, face significant challenges. Government plans should focus on creating alternative job opportunities and supporting transitions to other products, including setting minimum wages and providing basic access to institutional benefits. Similarly, the right to food is compromised as new generations of peasants, born during the coca boom, have neglected traditional farming practices, leading to a loss of traditional agricultural practices and techniques agricultural. For the right to health and human dignity, glyphosate use exacerbates health issues and impacts non-coca

crops, affecting food sovereignty and security. The author notes that glyphosate, classified as “possibly carcinogenic” by the World Health Organization, has been controversially used due to political rather than scientific evidence, which could trigger a humanitarian crisis. Lastly, the right to cultural life is affected by the marginalization of traditional coca use, which holds significant traditional and spiritual value in the Andean region. Traditional practices must be aligned to modern policies.

This article also discusses the German constitutional right to a minimum subsistence level, which is consistent with human dignity. She explains the rationality behind this assimilation and provides context, also demonstrating how doctrine development and research conducted in different geographies can enhance the rights’ scope of protection. Therefore, coca peasants should be acknowledged as victims? The author response to this question from the decent standard of living perspective, offering an interesting approach to this communities’ situation. The author’s literature review and institutional sources detail the ambiguous legal status of coca globally and critique the reward-based system. She left several open windows to continue the investigation about where this situation is taking Colombia and the International community.

The second paper, written by Maxi-Mercedes Jahn, is in particular about the use of glyphosate as the unique pesticide product provided for aerial aspersions. She discusses the forced eradication of more than 800 thousand hectares of coca in Colombia in 10 years, between 2012 and 2022, while discussing the reasons behind an increase in cultivation during this period. Circumstances may be dynamic, but the lack of state presence and for an effective land distribution have been some of the determinants to this problem. In 2019, drug trafficking revenues reached 31 billion of Colombian pesos, or 2.9 percent of the GDP. The business has remained healthy and thriving. Yet, the glyphosate supporters remain firm. Literature review reveals a lack of significant scientific debate on the efficacy of glyphosate as the best method for eradicating coca plantations. The use of glyphosate raises not only environmental concerns but also geopoliti-

cal issues, affecting conflict resolution and peace-building attempts.

Coca cultivation is a viable business, it offers benefits such as more frequent harvests and reliable markets, enabling farmers to improve their income and living conditions in a relatively short term. Unlike other crops, coca does not require formal and legal export market. For example, while 14 kilos of Chontaduro (palm tree fruit) earn about 30 thousand Colombian pesos, a kilo of coca paste can cost 2 million pesos. This disparity highlights why substitution schemes are ineffective when drug revenues far exceed legal alternatives.

The author’s insights into these often-overlooked factors contribute significantly to the discussion. She also addresses the Colombia-FARC peace agreement, which included comprehensive crop substitution policies, but progress has been minimal. It can even be said that increase in coca cultivation directly correlates with unmet agreement commitments. As well as other issues that are highlighted in the paper. The author notes that cartels have developed new methods to produce more cocaine with fewer plants, complicating government efforts. It also discusses the impact of technological advancements and the political complexities behind eradication policies

Back to the glyphosate issue, which it thorough in the paper, it mentioned that glyphosate negatively impacts that are usually not reported in mainstream media, like destroying soil organisms such as bacteria, fungi, and mycorrhizae, which are crucial for soil health and fertility. Farmers have reported adverse effects from glyphosate, including skin irritations that lead to permanent scars and vision problems. Reports also indicate that some farmers were mistakenly targeted during glyphosate applications, leading to the loss of their crops and livelihoods. This discussion underscores how the use of glyphosate, while intended for public health purposes, infringes on human rights and affects the lives of those in the impacted areas.

Finally, the author makes a really interesting survey through the German Basic Law referring a few lessons for the Colombian case. The constitution orders the state to protect natural resources and life through prevention of harm, defense against threats, and risk assessment. The author highlights the balloon effect, linking deforestati-

on, cattle ranching, coca production, violence, and displacement. More interestingly, she describes how glyphosate use exacerbates soil exhaustion and raises agricultural costs due to increased fertilizer and pesticide use. Additionally, she provides compelling information stating that spraying one hectare of coca can cost more than 50 thousand Colombian pesos, suggesting deeper issues, such as the influence of glyphosate producers in the overall transaction.

The author concludes that broader goals of social justice, environmental stewardship, and sustainable rural development are needed. However, the discussion leaves unresolved questions about the environmental impact of glyphosate use. It emphasizes that the relationship between communities and their environment is complex, involving diverse, interdependent processes that go beyond the immediate effects of eradication efforts.

Finally, the third author, Daniel Förster, enlightens his analysis by discussing the USA-Colombia Free Trade Agreement signed in 2007. His analysis is framed through the lens of human rights, offering a fair ground for examining the issue from the German perspective. The paper seeks to propose solutions aimed at improving the living conditions of people in Colombia, reflecting a commitment to addressing both immediate and broader socioeconomic challenges.

The author begins mentioning the potential benefits of industrial-scale coca leaf cultivation emphasizing on the importance of exploring its therapeutic uses and other potential industrial-scale production business dimensions. Economically, it details the dramatic increase in coca leaf prices, from \$0.60 per kg at harvest to \$1,224.61 per kg for the final cocaine product, reflecting a dramatic value transformation through the production chain. While this might benefit some actors in the production chain, the illegal nature of the trade imposes a significant financial burden on the state, which spends more on controlling and eradicating production than it gains. This can be taken as an objective analysis that worth to be read in detail. As a follow up, the author raises concerns about the lack of viable alternatives for coca farmers, suggesting that attempts to replace

coca cultivation with other forms of agriculture often fail and may lead to human rights violations.

Then, the paper outlines Colombia’s institutional structure and the context of its internal conflict, which turned out valuable in particular for a German audience. It connects the rise of guerrilla groups in rural areas during the 1960s with the emergence of paramilitary forces in the 1980s and 1990s, which aimed to eliminate the guerrillas, protect landowners, and dominate the drug trafficking industry. The discussion extends to the peace process, highlighting the political concessions made to guerrilla leaders, including their integration into Congress. This background is crucial for understanding the interplay between political dynamics and coca cultivation policies. It illustrates how the expansion of coca plantations and efforts to replace illicit economies are intertwined with Colombia’s political landscape and peace commitments. The connection shows the relevance of addressing coca cultivation within the larger context of Colombia’s historical and current political challenges.

As a conclusion, the author highlights a critical challenge: “the difficulty lies in the implementation of global resolutions, which tend to be wide, general and future-oriented, aiming to set directions and define common ground”. The FTA holds, nevertheless, substantial untapped potential for informing the peace process and addressing coca cultivation issues in Colombia. As mentioned by the author, there is no a silver bullet or simple solution to the drug trafficking problem, and balancing the coca plant’s cultural significance with global anti-cocaine efforts remains complex. Legal frameworks and international policies have struggled with this dual challenge, and Colombia’s efforts -including military actions and crop substitution aerial or manual- have found significant obstacles.

Ultimately, a comprehensive and integrated approach is necessary to achieve lasting change, reduce coca cultivation, and improve living conditions sustainably. In this chapter, the authors clearly express their intention to incorporate perspectives beyond traditional approaches, encouraging readers to see deeper into the issue. The added value of these studies lies in their interdisciplinary approach, combining insights from law and

public policy with perspectives from nonprofit and non-governmental organizations. Contributing to this chapter are students from the Environmental Campus Birkenfeld at Trier University of Applied Sciences, including those pursuing degrees in law, a master's in law and non-profit and NGO management.



Prof. Dr. Héctor Andrés Bombiella Medina

has conducted extensive fieldwork with social groups in condition of poverty and disadvantage, grassroots organizations and the public as well as private-sector in the United States, Colombia and Peru. He is a teacher and researcher on topics dealing with human rights, public policy and sustainability. He is currently advising on and promoting policies to empower peasants and solidarity-based economies at the Colombian National Training Agency (Servicio Nacional de Aprendizaje, SENA).

Affected Human Rights by the destruction of coca plantations

Author: Cara-Maxine Heyd

Table of contents

1 Introduction	97
2 Affected universal human rights	98
2.1 Right to adequate living conditions.....	98
2.2 Right to work.....	99
2.3 Right to food.....	100
2.4 Right to health and human dignity.....	100
2.5 Right to the cultural life.....	100
3 Decent existence minimum Art. 1 GG	101
4 Conclusion and looking to the future with the 10-year drug strategy	102

1 Introduction

The Coca-plant has been cultivated on a large scale in plantations in some South American countries for almost 100 years. Colombia, for example, is one of the countries in South America with the highest sales of cocaine cultivation. The coca plant, from which cocaine is produced, has been cultivated in Colombia since the 1960s, especially in the more remote areas of the Andes, in order to make progress in the field of medicine. Ever since Albert Niemann produced the drug cocaine from the coca plant in 1860, the cultivation of the coca plant from Colombia has also been used to produce cocaine. When Alberto Sicilia Falcon promoted the mass production of cocaine in the 1980s, Colombia became one of the largest cocaine-producing countries in the world and continues to import cocaine worldwide to this day. With the help of the US government, the "Plan Colombia" was developed, which aims to destroy the plantations and, as a result, to maintain social and economic programs to preserve sources of income. However, the destruction of the plantations still leads to socio-economic, corrupt and violent conflicts to this day, as the drug trade has shifted to other count-

ries and has not really disappeared in Colombia. In addition, the destruction of cocaine plantations can restrict human rights, especially if it is not carried out in accordance with the rule of law and human rights standards.

The following elaboration is based on the human rights of the UDHR (Universal Declaration of Human Rights) and their possible restriction or violation and in the final consideration the prospects in German law.

The Universal Declaration of Human Rights of 1948 is the best-known human rights document and forms the cornerstone of international human rights protection. Before the Second World War, human rights were mainly regulated nationally. The horrors of war led to a rethink. The UN Charter of 1945 instructed the international community to promote human rights for all. The breakthrough came with the adoption of the UDHR by the UN General Assembly in December 1948, following a two-year discussion process. The UDHR is not a legally binding document but has great political and moral significance. It influenced the development of the UN human rights conventions from the 1950s onwards. The Universal Declaration of

Human Rights enshrines fundamental civil, political, and social rights to which every human being should be entitled on the basis of their dignity. In 30 articles, it sets out guarantees of protection for the human person, including the right to life, the prohibition of slavery, torture, and arbitrary detention. It also includes procedural rights such as the right to effective legal remedies as well as traditional civil liberties such as freedom of expression, freedom of religion, guarantee of property and freedom of marriage. In addition, economic, social, and cultural rights are guaranteed, including the right to social security, work, food, health and education. These rights should apply to all people regardless of race, gender, or nationality (UDHR Art. 2), as all people are born free and equal in dignity and rights (UDHR, Art. 1).

In my paper, I will discuss the international human rights of the UDHR and develop arguments for a possible violation of human rights. At the end of my paper, I will look at the facts of the case in terms of the German basic right to a decent subsistence minimum and I will take a closer look at the use of the herbicide glyphosate, as it has caused the greatest damage and is a fundamental problem for current drug policy.

Before WW II, human rights were mainly regulated nationally. The horrors of war led to a rethink. The UN Charter of 1945 instructed the international community to promote human rights for all. The breakthrough came with the adoption of the "Universal Declaration of Human Rights" by the UN General Assembly in December 1948, following a two-year discussion process.

2 Affected universal human rights

2.1 Right to adequate living conditions

"Everyone has the right to a standard of living adequate for health and well-being." This means guaranteeing the basic needs of an individual and their family in the sense of the social subsistence minimum. This includes decent housing, adequate clothing, and food as well as medical treatment.

According to Art. 25 UDHR, these rights include "food, clothing, housing, medical care, necessary services and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood through no fault of their own" (para. 1) as well as the right to special care and assistance for mothers and children (para. 2). Thus, several rights are addressed in one article, which could have been restricted or even violated by the destruction of the plantations (Humanrights.ch, n. D.).

The plantations were to be destroyed in various ways. They were to be destroyed by eradication, aerial fumigation and fighting armed groups.

The right to adequate living conditions may have been restricted to the extent that the local population may lose their livelihoods, resulting in poverty and precarious living conditions. In 2021, plantations of around 103,000 hectares were destroyed (APA, 2022). The farming community of the coca plantations depend on work in coca cultivation to earn a living. Without this income, the population cannot maintain an adequate "standard of living that guarantees health and well-being for themselves and their families". The Colombian state is trying to support alternative crops such as coffee, sugar cane and plantains with the help of financial support, e.g. in the form of subsidies. Other countries, such as the USA with its "International Drug Control and Law Enforcement" aid project, which is also committed to social justice and development cooperation to enable a decent standard of living, also support countries like Colombia in their fight against drugs (Humanrights.ch, n. D.). These projects are not enough for those affected. In the past, farmers have repeatedly had to resort to growing coca in order to survive. Although the cultivation of the coca plant is not completely illegal in Colombia, it is "still" on the UN's prohibited list, as coca leaves are considered

a narcotic (Weigand, 2023). Coca farmers are therefore also in a difficult situation in legal matters (Merkur.de, 2022). On the one hand, the coca growers are very much afraid of being arrested by the state, and on the other hand of having to face even worse consequences from the drug mafia, the cartels or other drug power brokers. The difficulty in winning the war on drugs lies in limiting state resources and enforcing them against the Colombian rulers.

Manual eradication creates a dangerous dynamic on the ground by directly confronting the military and police with coca growers. As one official put it, "The eradication divides the government from the farmers and armed groups." For farmers in remote areas without access to public services, the military's attempt to deprive them of their livelihoods becomes their only experience with the state. As one farmer describes, "The only investment we have experienced is that of the armed forces, which has only brought us pain and sadness. ... They have turned our communities into a war" (Crisis Group, 2021, p. 27).

The farmers have no opportunity to build up a decent standard of living for themselves and their families due to their constant fear of expulsion, arrest, flight or even fear of death (Crisis Group, 2021).

In 2018, the Colombian government under President Duque launched five intensive military operations, known as Zonas Futuro (Future Zones), to pacify conflict-ridden areas and create the basis for economic development. This strategy, which links military operations with future development, harbors risks, especially in areas where farmers depend on illegal harvests. Focusing on the capture of high-ranking members of armed groups can generate as much violence in rural areas as it can prevent it. Killing or arresting commanders leads to power vacuums and internal cleansing but increases violence. The danger to civilians increases when armed forces publicly thank for information, putting the community at risk. It is suggested that Bogotá should rethink the measurement of success of military operations. The current focus on arresting criminal leaders does not contribute to conflict reduction. Military planners should consider the impact on communities, the likelihood of permanent police presence and the risks of power struggles between armed groups. Better planning

is needed to mitigate negative impacts on communities and increase confidence in security forces (Crisis Group, 2021, p. ii).

2.2 Right to work

"The government calls us coca farmers drug dealers, terrorists and guerrillas. They persecute us as if we were the very worst. But we're not bad people, we're doing this out of sheer necessity. How are we supposed to survive? Coca is the only thing that makes money here" (Herrberg, 2021).

The right to work could be restricted to the extent that the workers who worked on the plantations lose their jobs as a result of the destruction of the plantations. It is critical whether the government, which controls the destruction, must ensure that alternative employment opportunities and support are available in order not to violate the right to work. Working on the coca plantations is, or was, legal employment.

Article 23 of the UDHR addresses a variety of work-related entitlements and particularly emphasizes the right to work. Although states cannot enforce this right in court, as judges cannot allocate jobs, the Declaration obliges states to direct their policies towards the prevention of unemployment. It is the responsibility of the state to take active measures to ensure a wage that secures the basic existence of workers and their families. This includes setting a minimum wage and, if necessary, providing supplementary benefits similar to social assistance. However, the actual level of minimum wage and benefits varies greatly and is closely linked to the general standard of living in the country concerned (Humanrights.ch, no. D.).

The Colombian state is therefore not obliged to provide alternative jobs for coca farmers. However, there have already been many organizations and projects to convert the cultivation of the coca plant to an alternative, legal crop. Similarly, countries such as Colombia have been trying for many years to win the war on drugs and overthrow those in power so that the population can live and survive through legal work.

The free choice of occupation of farmers is guaranteed by Art. 23 UDHR, but this does not include the cultivation of illegal substances. Here again, the difficulty lies in weighing up whether the cultivation of the coca plant is illegal or not.

The cultivation of the coca plant is generally permitted for cultural, spiritual, and medicinal purposes. However, this does not include its predominant use, but rather its resale and processing into cocaine. Unfortunately, the majority of coca farmers are forced to pursue this illegal occupation for reasons of survival and fear of death. They are subjected to illegal forced labor – not directly by the Colombian state, but by those in power in Colombia. Indirectly, however, forced labor could be brought about by the state due to the insufficient support for alternative cultivation, the minority of the state military compared to the drug military and the insufficient protection against the consequences if the farmers oppose the drug powers.

2.3 Right to food

The right to work and the right to an adequate standard of living are closely linked to the right to food, as the workers on the plantations lived off their wages. Due to the destruction, this salary is no longer paid, leading to food insecurity and the destruction of livelihoods (Schmeil, 2021). The destruction of the coca plantations and thus of the agricultural fields in the immediate vicinity constitutes a violation of the right to food.

2.4 Right to health and human dignity

The right to health goes in two directions. On the one hand, the right to work and the right to food are continued with the right to health. If the population has no work, there is no money for food. Without food, people fall ill.

Secondly, the area surrounding the plantations is exposed to health risks, as the destruction of the plantations is carried out using the chemical glyphosate, among other things. This chemical has been classified as "possibly carcinogenic" by the WHO, as a result of which the Constitutional Court ruled in 2017 that glyphosate can only be used to destroy coca plantations under strict conditions (Suhner, 2022).

The Colombian government under President Duque planned to resume spraying with glyphosate to combat coca fields. The Constitutional Court had set strict conditions for spraying, based on health and environmental studies, and although the government met some requirements, court cases are expected to delay the resumption until

mid-2021. The government argues in favor of the more cost-effective aerial fumigation, supported by some military officials and the Trump administration. Some U.S. officials claim this is critical to reducing the supply of coca.

The resumption of aerial fumigation is likely to have similar violent effects as in the past. Glyphosate affects not only coca fields, but agriculture, which can lead to tensions between neighbors. The effects on public health are alarming, with documented miscarriages, diarrhea, and skin lesions. In the long term, the World Health Organization considers glyphosate to be a probable carcinogen. Negative effects could trigger a humanitarian crisis, even for farmers without coca cultivation.

2.5 Right to the cultural life

"Coca leaves are part of the culture of indigenous populations in the Andes region and are traditionally used for health and religious purposes. The ban to date is pharmacologically and toxicologically unfounded and has caused ecological and social damage to the affected region" (Weigand, 2023). The coca plant has been part of the culture and tradition of the Colombian and Andean regions in general for centuries and has great spiritual significance. The leaves are used as a medicinal plant, in ceremonies and in rituals in order to have a stronger connection to religion. The coca leaf is also processed and chewed or used in tea to dispel negative energies and purify the body. This is mostly practiced in the community and serves as a means of social interaction. One of the most important uses of the coca leaf is for medicinal purposes. Its leaves are rich in vitamins and minerals, including A, B1, B2, B3, C, E, calcium, phosphorus, iron, sodium as well as potassium. The 14 different alkaloids promote blood circulation and oxygen uptake in the blood and brain. In the high-altitude regions where coca plants thrive, locals use it to relieve altitude sickness, exhaustion and stomach problems. The leaves also have antioxidant properties and support the liver and the health of the stomach and intestines. In the Andean regions, coca is chewed or drunk as a means of increasing stamina and energy at high altitudes, especially above 3,500 meters. This stimulating effect enables people in the Andes to cope with long working hours in difficult conditions (Köppl, 2023).

Among other things, the Colombian Constitutional Court has banned eradication without prior consultation and consent of the community in areas of the substitution program, in national parks and in indigenous reserves, but this only affects a very small proportion of those affected (Crisis Group, 2021), especially as these regulations have not been complied with (Suhner, 2022).

A law was passed to ensure that these regulations are theoretically complied with. Chapter VII of Law 30 of 1986 regulates the procedure for the destruction of confiscated plantations and substances. Article 77 lays down in particular the steps for the identification and measurement of crops and the identification of those responsible by taking samples and forwarding them to the health authorities. Throughout the procedure, the presence of the Ministry of Public Affairs is required before eradication can begin. The producers concerned must obtain confirmation from the health authority that they are dealing with psychoactive plants before the eradication is carried out. A protocol is drawn up and must be signed by the owner or producer. The article emphasizes the importance of guarantees for the presence of the Ministry of State, in particular to ensure compliance with eradication protocols and full respect for human rights. The Antinarcotics Handbook for the Manual Eradication of Illicit Crops by the Police states in Article 7.1: *"At all times, care must be taken to ensure good treatment and respect for all people, their goods and their property, paying particular attention to the regionalisms and cultural specificities characteristic of each territory"* (Arenas and Vergas, 2020).

It is also difficult to distinguish whether coca farmers actually use the coca plant for culture, religion, spiritual rituals and medicine or consume it as a drug. The traditional use of coca leaves aims to exploit the stimulating and energizing properties without extracting the psychoactive component cocaine. The amount of cocaine in the dried leaves is minimal, between 0.1 and 0.8%. This low content prevents the risk of intoxication or addiction (Köppl, 2023). The debate as to whether the coca plant can be used for cultural, religious and spiritual medicinal purposes and whether the coca plant should be removed from the UN list of narcotics is still ongoing in connection with

It is also difficult to distinguish whether coca farmers actually use the coca plant for culture, spiritual rituals and medicine or consume it as a drug. The traditional use of coca leaves aims to exploit the stimulating and energizing properties without extracting the psychoactive component cocaine. The amount of cocaine in the dried leaves is minimal, between 0.1 and 0.8%. This low content prevents the risk of intoxication or addiction.

Colombia's 10-year drug strategy. Thus, there is no human rights violation of culture here, as the coca plant is still considered a potentially carcinogenic and dangerous drug.

3 Decent existence minimum Art. 1 GG

As a comparison of international human rights within the meaning of the UDHR with German fundamental rights, the focus is probably on the right to a minimum subsistence level in keeping with human dignity.

Small farmers in the Colombian municipality of Tibú have successfully thwarted the violent destruction of their coca plantations by the national army. Over a period of 24 hours, the farmers laid siege to their plantations, arrested 180 military personnel, and then handed them over to the local ombudsman. The action was non-violent and did not escalate. The farmers are demanding an end to the stigmatization and destruction of their fields as well as the consistent implementation of the substitution program for illegal plants. The Catacumbo region in the north-east of Norte de Santander suffers from a lack of local profit participation despite centuries of oil extraction.

The region is characterized by armed conflicts and the influence of paramilitary groups. A report by the Human Rights Ombudsman's Office shows that many residents of Norte de Santander suffer from kidnappings and forced displacement.

General Omar Sepúlveda stigmatized those involved in the resistance as kidnappers and drug traffickers, which was sharply criticized by peasant organizations. The peace agreement concluded in 2016 provides for the voluntary substitution of illegal plantations, but implementation remains inadequate. Instead, the government is planning to spray coca plantations with glyphosate, which poses considerable health risks for the local population and threatens their livelihoods. (Schmeil, 2021)

The Colombian police have temporarily suspended the destruction of coca plantations. Police chief Henry Sanabria emphasized that farmers are considered the weakest link in the drug trade. However, the fight against those behind the drug trade and illegal organizations will continue in order to prosecute people connected to the drug trade.

Alongside Peru and Bolivia, Colombia is one of the world's largest producers of cocaine. Last year, 234,000 hectares of coca plants were cultivated, with the security forces intensifying the destruction of plantations in recent years. In the previous year, 103,000 hectares of coca bushes were destroyed. Various criminal syndicates, splinter groups of the Farc guerrilla organization and the ELN rebel group are active in the drug trade. The cultivation of coca plants is attractive to many farmers due to the higher profits compared to legal agriculture. However, there are reports of farmers being forced by criminal gangs to cultivate coca plants.

According to the circumstances described, the minimum standard of living in accordance with Article 1 in conjunction with Article 20 (1) of the Basic Law could have been violated by the destruction of the coca plantations and the use of glyphosate. In terms of proportionality, it is again difficult to weigh up the interests of the coca farmers against the interests of the general public (also worldwide). In any case, the coca farmers must be identified as people in need of help who are entitled to a decent minimum standard of living. The focus of the elements of proportionality

lies in the necessity, i.e. whether there is a milder means. This brings us back to the failed war on drugs and the drug strategy now being pursued. (Zeit Online, 2022).

4 Conclusion and Looking to the future with the 10-year drug strategy

It is very difficult to assess whether the destruction of coca plantations constitutes a violation of human rights within the meaning of the Universal Declaration of Human Rights. There are restrictions on the existence of the coca population, but these are caused by the cultivation of an illegal plant. In most cases, the coca plant is processed into cocaine and sold. This represents the illegal drug trade. However, the coca farmers are dependent on this work and the drug trade in order to survive. They use the money they earn to create a standard of living that is very low despite the high demand for cocaine. The work on the coca plantations is controlled and monitored by the rulers, the supporters of the drug cartels, so that the coca farmers are subordinate to the Colombian government and the government of these rulers. Weighing up how they can secure their minimum subsistence level, they opt for survival. Although the Colombian state has worked with other countries to develop programs and systems to help coca farmers grow alternative crops on existing plantations, there is a smaller market for these crops. In addition, the safety of the farmers and their families is at risk if they decide not to cultivate the coca plant.

The destruction of these coca plantations is driving families to financial ruin. The plantations are destroyed in the long term, even for alternative crops, by uprooting the plants and spraying them with glyphosate. Nevertheless, if the right to an adequate standard of living is violated, it can be said that although the coca farmers' livelihoods have been destroyed, this could be justified with regard to the cultivation of an illegal drug. In this case, the safety and well-being of the general public is also paramount, as the cultivation of the coca plant means that the population is threatened by the consumption of the drug alone, as well as by the power of the cartels. Although the right to work was also restricted by the destruction, systems for alternative work were made available.

However, the right to health was violated due to the destruction. The use of glyphosate has resulted in many direct serious medical cases that have been proven to have occurred. The health of the population was also indirectly endangered. The plantations on which farmers could have grown alternative crops were poisoned by this chemical, as were agricultural fields in the immediate vicinity.

The coca plant is also considered a medicinal plant by the indigenous population. The destruction of this medicinal plant deprived this population group of the chance of a cure. The coca plant is also a spiritual, cultural and religious plant that is used for rituals and the like. However, the destruction did not violate the right to cultural life, as the coca plant was classified as a potentially carcinogenic illegal drug (America 21, 2022). Whether the coca plant should remain on the UN list of narcotics is currently being debated.

Colombia's problem with coca plantations is not the state and the violation of fundamental rights per se. It is the general war on drugs. The cartels and rulers predominate in these countries and have a greater influence on the population than the government itself. In order to offer the Colombian population a decent standard of living, the war on drugs must be won. Not just in Colombia, but worldwide. Consumption and the sales market must be reduced or cut to a minimum in order to reduce demand and take this power away from those in power. The government is acting in the interests of national security and this is also a justification in Colombia.

In October 2023, a new 10-year drug strategy with corresponding draft legislation was presented in this regard. The aim of the strategy is to end the war on drugs and introduce reforms that will bring about long-term and sustainable change. The strategy is to be applied internationally, as this will only work in cooperation with all countries involved.



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Glyphosat use in line with Colombia's peace policy

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Table of contents

1 Introduction	104
2 Coca Cultivation	105
3 Peace Policy	105
4 Consequences	107
5 The German Perspective	108
6 Solution Approaches with a view to Thailand	109
7 Current Developments in Colombia	110
8 Conclusion	111

1 Introduction

In recent years, the use of glyphosate, a widely used herbicide, has become a contentious issue in Colombia. Introduced in the 1970s, glyphosate is globally recognized for its effectiveness in the agricultural sector. Originally employed as a weed killer in agriculture, in Colombia, glyphosate has assumed a specific and controversial role in the nation's fight against illegal drug cultivation. It is primarily used in Colombia to combat illegal coca, playing a key role in the battle against drug trafficking. However, the use of glyphosate in Colombia, particularly concerning environmental and health risks, has sparked controversy both nationally and internationally.

Between 2012 and 2022, 843,905.6 hectares of coca in Colombia were forcibly eradicated, yet the cultivation area for this period increased by 327%. In 2019 alone, the revenues generated from drug trafficking amounted to 31 billion pesos, equating to 2.9% of the GDP. (Minjusticia, 2023)

In stark contrast to its standard agricultural application on agro-industrial fields, the Colombian fumigation program employs glyphosate in a

markedly different manner. It disperses high concentrations of this herbicide over residential areas, executing this task from significant altitudes spanning dozens or even hundreds of meters. This method, deviating from conventional practices, has raised substantial concerns regarding its impact on both the environment and public health. (WOLA, 2016)

This complex situation prompts a critical situation examination of several underlying issues. Firstly, it brings to light the challenge of managing illegal drug cultivation, a task that involves navigating a myriad of socio-political nuances and ethical considerations. Secondly, it underscores the role of agricultural chemicals like glyphosate in contemporary conflict zones – a role that extends beyond mere agricultural implications to encompass broader environmental and geopolitical dimensions. The employment of such chemicals in these contexts is not just a matter of agricultural policy but becomes a significant factor in the discourse on conflict resolution and peacebuilding.

The deep tensions between the need to effectively combat drug cultivation and the desire

to develop sustainable and equitable solutions for Colombia's agricultural communities will be explored, highlighting the complex balance required to address both. It also discusses the international context of the debate around glyphosate, including global concerns about environmental protection, human rights, and sustainable agriculture that influence Colombian policy and practice in this area. This sets the framework for an analysis of the multiple challenges and considerations associated with glyphosate use in Colombia and lays the ground for a more in-depth view, which deals with coca cultivation, peace policy, impacts, the German perspective, solutions with a view to Thailand, and current developments in Colombia.

2 Coca Cultivation

For many farmers in the affected communities, cultivating coca plants is more than just an agricultural activity; it is often a fundamental means of survival. These communities, in comparison to the national average, face significantly higher levels of poverty. They suffer from low tax revenues, limited connectivity to urban centers, and a lack of institutions that support the rural populace, as identified by Zuleta in 2017. (Minjusticia, 2023)

The annual increase in cocaine production in Colombia is primarily attributed to the loss of territorial control by the state. In many rural areas, the Colombian government's presence is minimal.

The annual increase in cocaine production in Colombia is primarily attributed to the loss of territorial control by the state. In many rural areas, the Colombian government's presence is minimal. Hundreds of villages lack military or police stations, allowing drug trafficking to thrive with little interference.

Basic facilities like schools, roads, and hospitals are often absent in the country's remote regions. Furthermore, hundreds of villages lack military or police stations, allowing drug trafficking to thrive with little interference. (Karasek, 2021)

Approximately 49% of the cultivation areas are situated in special administrative zones: 19% on land belonging to Afro-Colombian communities, 15% in forest reserves (as per Law 2), 10% in indigenous reserves, and 5% in national natural parks. (Minjusticia, 2023) The fact that a significant portion of the cultivation areas is in these special zones highlights the complexity of the issue. It underscores the overlapping ecological, social, and ethnic dimensions that must be considered in seeking sustainable solutions for coca cultivation and the associated poverty.

The COVID-19 pandemic, with its lockdowns and supply chain disruptions, presented an additional challenge for farmers in rural regions. For many, coca cultivation became their sole remaining means to earn income to support their families. (Abé, 2022)

In areas lacking adequate infrastructure, farmers often have to transport their products in a laborious manner, a process that is time-consuming and yields only limited financial returns. For example, 14 kilos of Chontaduro, a small orange fruit of the peach palm, earns about 30,000 pesos, approximately seven euros. In contrast, a kilo of coca paste can fetch two million pesos, roughly 500 euros. (Schaefer, no D.)

The benefits of coca cultivation, such as more frequent planting and harvesting cycles, along with almost guaranteed markets and buyers, have enabled farmers to earn a modest income and improve their living conditions. Unlike other crops, coca can be sold directly and does not require exportation. This aspect of coca cultivation, combined with the economic incentives it offers, makes it a uniquely attractive option for farmers struggling in impoverished and isolated areas. (Minjusticia, 2023)

3 Peace Policy

The use of glyphosate to combat coca cultivation has a long history. In 2015, its use was halted by the government of Juan Manuel Santos, following the World Health Organization's (WHO) classification of glyphosate as a possible carcinogen. (Suhner, 2022)

The subsequent historic peace treaty of 2016 between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC), playing a key role in the fight against illegal drug trafficking, included measures to shift cultivation practices. This peace treaty ended over 50 years of armed conflict in Colombia, which left a devastating toll of 260,000 deaths and about eight million refugees and internally displaced persons. The conflict was primarily characterized by clashes between leftist guerrilla groups and the Colombian military. The FARC emerged in May 1964 from members of the Colombian Communist Party and a peasant movement. They are known as the largest Guerrilla organization in Latin America. (Weismann, 2022)

This program aimed to transition approximately 200,000 families who were involved in coca cultivation to engage in legal activities. The main goal was to sever the connections between the insurgency and drug trafficking and to strengthen government presence in areas plagued by crime and poverty. Despite these intentions, few of these promises were realized. During the peace talks, coca cultivation even rose to record levels, partly in the hope that the agreement would benefit farmers who switched to coca cultivation. However, as time progressed, the situation worsened when the government struggled to fulfill its commitments. (Crisis Group, 2021)

The subsequent historic peace treaty of 2016 between the Colombian government and the FARC, playing a key role in the fight against illegal drug trafficking. This peace treaty ended over 50 years of armed conflict in Colombia, which left a devastating toll of 260,000 deaths and about 8 million refugees and internally displaced persons.

In 2017, the Colombian Constitutional Court concluded in its T-236 judgment that there are indications glyphosate is a toxic substance that can be carcinogenic or otherwise harmful to health, depending on exposure. This judgment also set the requirements that must be met before the herbicide can be used for aerial eradication of illegal crops. In 2019, the Constitutional Court decided in its ruling 387 that the government must prioritize voluntary substitution of illegal crops over forced eradication. The Court also clarified that aerial spraying of glyphosate should be used as a last resort and only permissible if both voluntary substitution and mechanical destruction have been unsuccessful. In addition, the Constitutional Court required the Colombian government to make a decision on the resumption of glyphosate aerial spraying as part of point 4 of the peace agreement signed in 2016 with the armed group FARC-EP. (Amnesty International, 2021)

President Santos allowed manual spraying in January 2017, leading to protests by farmers who signed up for replacement programs. Especially in the regions of Catatumbo, Nariño, and Putumayo, this practice was carried out by the military. Small farmers reported that the army did not consider whether these areas were intended for replacement programs. (Ludwig, 2017)

After the election of the new President Duque on June 17 of 2018, the new government announced that glyphosate would be used again and become fully part of the peace policy. The new strategy also includes the use of drones to reduce the use of glyphosate and potential adverse effects on human health, such as increased occurrences of spontaneous abortions, skin diseases, and respiratory diseases. (Idrovo and Rodríguez-Villamizar, 2018)

The previous government failed to fulfill the commitments set out in the agreement. The government promised farmers subsidies if they replaced coca plants with cocoa, bananas, or coffee. Only the responsible authority was underfunded and unable to pay the subsidies. (Karasek, 2021)

The concerns of coca farmers remained unaddressed, and many were denied the opportunity to participate in government programs. The peace treaty did not provide financial support for all farmers. (Baskici, 2022)

When conservative Iván Duque became President in 2018, coca cultivation had increased to 171,000 hectares – a record high. Facing pressure from the USA, Duque committed to reducing cultivation, with a target of halving it by 2023. So far, the government has managed to reduce it by seven percent till 2021. This reduction has been achieved partly through programs offering farmers alternative crops, but mainly through the destruction of plantations by soldiers and special forces, a laborious process done by hand. Meanwhile, cartels have adopted new techniques to produce more cocaine with fewer coca plants, effectively undermining the government's efforts. (Gurk, 2021)

The claims about the success of government initiatives are based on the government's own statements, raising doubts about whether these statistics accurately reflect the actual situation in the affected areas. This could explain the sometimes contradictory data on cocaine cultivation in Colombia. According to the Colombian government's figures, the cultivation area decreased by seven percent in 2020, from 154,000 hectares in 2019 to 143,000 hectares. In contrast, the Office of National Drug Control Policy (ONDCP) of the White House reported an almost 15 percent increase in cultivation areas in the same year. In a press release from June 2021, the government of Iván Duque announced that both statistical groups would now review the data to standardize and "harmonize" future measurements. (Schaefer, no D.)

After the measures were not sufficiently successful, Colombia allowed the use of glyphosate from the air to eradicate prohibited crops for the first time in 2021. (Amnesty International, 2021)

The question remains why the government wants to use the potentially health-hazardous total herbicide glyphosate from the air again when the substitution programs have shown great success? (Schaefer, no D.)

4 Consequences

Aerial fumigation, primarily conducted in primary and secondary forest areas, impact the surrounding regions characterized by high biodiversity. The dispersal of glyphosate particles can reach up to three kilometers, depending on wind conditions, affecting not just the target areas but also nearby

forested areas, water sources, and the local people and wildlife living there. (Rasolt, 2019)

Research has shown that the targeted eradication efforts in Colombia had unintended ecological consequences. Coca cultivation shifted to ecologically significant areas, which, due to their remote location and lack of state control, were attractive to criminal groups. This process, known as the "balloon effect", led to increased deforestation and an expansion of agricultural use. (Minjusticia, 2023)

Rather than being eradicated by fumigation, coca production spread to more remote parts of the country, from the fertile southern regions to the Pacific coast and along the Venezuelan border. The plants reached legally protected areas such as natural parks and indigenous reserves, leading to increased deforestation and unpredictable ecological damage. These damages were further exacerbated by the continued use of glyphosate. In the affected rainforests, the herbicide causes the death of native flora, contaminates water sources, and has adverse effects on the health of the local wildlife and resident communities. (Rasolt, 2019)

Glyphosate negatively affects a variety of soil organisms, including bacteria, fungi, and mycorrhizae, which play a vital role in soil structure formation and are crucial for soil fertility. (GLOBAL 2000, no D.)

The impacts are particularly long-lasting because temperate ecosystems need more time to regenerate. This has damaged agriculture and led to food insecurity. Even targeted ground spraying has ecological consequences, as the herbicide does not only remain in the soil but can also spread to adjacent areas. Through rainwater and atmospheric transport, it can reach neighboring fields, streams, rivers, and lakes. Moreover, the fumigation have had impacts on the human rights of farmers and ethnic peoples, recognized by the Council of State, the Constitutional Court, and the inter-American system. (Minjusticia, 2023)

Numerous farmers have reported negative experiences with the use of glyphosate, describing skin irritations leading to permanent white scars and skin and vision problems following glyphosate application. (Nayar, 2020)

According to the WHO's International Agency for Research on Cancer, glyphosate has genotoxic

properties, meaning it can damage DNA, with this effect occurring even in the smallest amounts. Additionally, glyphosate influences hormonal processes in the human body, leading to various health problems. These include malformations, an increased risk of diabetes, hormone-related cancers, cardi-ovascular complaints, and other health impairments, especially in newborns. (GLOBAL 2000, no D.)

Reports indicate that farmers were forced to relocate because pilots mistakenly targeted their plants as coca shrubs, thus losing their livelihood. (Nayar, 2020)

5 The German Perspective

The situation in Colombia, with its potentially severe impacts, raises critical questions about the adherence to and protection of fundamental human rights. These issues can also be examined in the context of the Basic Law for the Federal Republic of Germany (BLFRG).

According to Article 20a of the German Basic Law, the state is obligated, for the sake of future generations, to protect both the natural foundations of life and animals. This obligation is carried out within the framework of the constitution and encompasses legislative measures, their implementation by the executive branch, and the observance and application of these laws by the judiciary. (BLFRG, 2022, Art. 20a GG)

Environmental protection under the German Basic Law includes several key aspects: firstly, the prevention of harmful interventions in the environment; secondly, the defense against immediate threats to ecological integrity; and thirdly, the implementation of preventive measures against future ecological risks. An integral part of environmental protection is also the preservation of biological diversity, including ensuring a natural habitat for endangered animal and plant species. Article 20a does not have absolute precedence over other interests but must be balanced with other constitutional goods and principles in the event of a conflict. The importance of the climate protection obligation in the balancing process continues to increase with the progression of climate change. (Bundesverfassungsgericht, 2021) This necessitates a careful balancing of the state objectives under Article 20a with other constitu-

tional goods and values of the Basic Law, especially in practical concordance. Article 20a does not contain any specific weighting factors. The Constitutional Commission explicitly refrained from giving environmental protection an explicit priority over other constitutional goods and principles. In ordinary law, the legislature could stipulate that securing natural life foundations should have priority over other concerns in certain cases. (Bundesverfassungsgericht, 2021)

The use of glyphosate has been identified as a clear ecological intervention by the government in the environment. In Germany, it has been proven that the use of this herbicide has an impact. The re-authorization of glyphosate divides opinions, and its environmental impacts are strongly debated. The broad-spectrum herbicide achieves the destruction not only of the intended plants but all non-resistant plants. The use of glyphosate in the fight against illegal coca cultivation must adequately support Colombia's state goal of ensuring the safety of the population in the fight against drugs. In Germany, it is known that widespread application leads to a reduction of field weeds and grasses, resulting in a loss of significant food sources and habitats. This contributes significantly to the decline in biological diversity. With the disappearance of these plants, many pollinator species that depend on them are also lost. (NABU, no D. Moreover, the eradication of cultivation areas in Colombia causes a balloon effect, leading to more deforestation.

On July 6, 2023, the European Food Safety Authority (EFSA) submitted its report on the risk assessment of glyphosate to the member states and the European Commission. Although EFSA identified no unacceptable risks in the use of the agent, data gaps in several areas were identified. For example, EFSA could not conclusively clarify questions regarding nutritional risks to consumers and the assessment of risks to aquatic plants. Regarding species protection, the available information did not allow for definitive conclusions. (BMEL, 2023)

In cases of scientific uncertainty about environmentally relevant causal relationships, the special duty of care imposed by Article 20a of the Basic Law, also for the benefit of future generations, includes taking into account reliable indica-

tions of the possibility of serious or irreversible impairments. (Bundesverfassungsgericht, 2021)

Glyphosate can disrupt the nutrient uptake of crops in the soil, often leading to increased use of fertilizers. This heightened fertilization can weaken the plants, increase their susceptibility to pests, and promote the need for additional pesticides. (NABU, no D.)

This can lead to higher costs for fertilizers and minimize crop yields. Furthermore, the eradication of cultivation areas in Colombia creates a balloon effect, leading to more deforestation to establish new cultivation areas. Although the production of the narcotic cocaine involves environmental pollution through the use of harmful chemicals and improper disposal, farmers are usually not responsible for processing the plants themselves but sell them on.

Article 2, Paragraph 2, Sentence 1 of the Basic Law, which guarantees the protection of life and physical integrity, also includes protection against environmental impairments, regardless of their source or cause. This gives rise to a state duty to protect, which also includes protecting life and health from the risks of climate change. (BLFRG, 2022, Art. 2 (2), S. 1 GG)

Regarding the use of glyphosate in Colombia, this means that the state is obliged to take measures to protect the population from potential health risks posed by glyphosate. As already mentioned in the consequences, health damage has been identified from contact with the herbicide. Furthermore, since 2015, WHO has recognized that the agent is classified as carcinogenic. Due to the use by aircraft and the dispersion by the wind, it cannot be ensured that residents will not come into direct contact with the agent. The objective legal protection mandate under Article 20a includes the necessity to handle natural life foundations carefully and to leave them in a condition for future generations that allows them to continue preserving these foundations without resorting to radical self-restraint. This approach underscores the importance of sustainable environmental stewardship, recognizing that current actions have long-term implications not only on the ecological health of the planet, but also on the well-being of future generations. (Bundesverfassungsgericht, 2021)

Additionally, in relation to securing a livelihood, which is set forth in Article 20 in conjunction with Article 1 of the German Basic Law, there are significant concerns regarding the use of glyphosate. (BLFRG, 2022, Art. 20, Art. 1 GG) The destruction of plantations usually demolishes the sole existential foundation of many farming families. As known from past experiences, state subsidies are sometimes not fulfilled, leaving vital income for these families unsecured. Moreover, it cannot be guaranteed that only coca plantations are targeted during aerial glyphosate application; there have been instances in the past where other plants were mistakenly affected. Expecting farmers to destroy their crops in areas where no other agricultural products are sufficient to secure their livelihoods is unrealistic. The forced eradication in these regions only leads to the impoverishment of farmers and an increase in their mistrust towards the state. (Crisis Group, 2021)

According to a study by the Universidad de los Andes, glyphosate is highly inefficient in combating coca cultivation. To completely destroy one hectare of coca plants, the area must be sprayed up to 32 times, incurring costs of approximately 57,150 US dollars. This inefficiency not only questions the practicality of using glyphosate but also highlights the economic burden it places on the efforts to control illegal cultivation. (Suhner, 2020)

When considering the violation of fundamental rights, there seems to be a lack of proportionality between the purpose of the government's actions and their implementation. The use of glyphosate, particularly in aerial spraying, poses significant risks to both the environment and human health. The collateral damage of such actions not only includes the destruction of non-target plant species and potential harm to animal life but also risks to human communities living in and around these areas. The possibility of glyphosate contaminating water sources and soil further exacerbates these concerns, potentially leading to long-term environmental and health issues.

6 Solution Approaches with a view to Thailand

European allies, who played a crucial role in promoting the peace treaty of 2016, should reassess the impacts of the government's strategy on coca

The eradication of opium poppy cultivation in Thailand began only after several years of efforts to establish alternative livelihoods, typically negotiating with local communities through a joint committee of government and village representatives to assess whether sufficient legal income was available.

cultivation in terms of solidifying peace in Colombia. Drawing from experiences of other successful crop substitution projects, such as the 30-year initiative to eliminate opium poppy cultivation in Thailand, could be beneficial. The European Union could utilize these insights to assist Colombia in developing a more effective approach to transforming rural areas. (Crisis Group, 2021)

In Thailand, several key factors contributed to the successful combat against drug cultivation. The policy of eradicating drug crops was suspended during the counter-insurgency efforts and for several years following the end of the conflict. During this period, alternative livelihood programs were initiated in the opium cultivation areas. Eradication efforts were resumed only after these alternative programs had generated sufficient income for the opium farmers. This approach was distinct from many international drug control strategies, which often undertake eradication concurrently or even before introducing alternative programs. The eradication of opium poppy cultivation began only after several years of efforts to establish alternative livelihoods, typically negotiating with local communities through a joint committee of government and village representatives to assess whether sufficient legal income was available. The strategies for creating alternative livelihoods were designed as comprehensive rural development initiatives, focusing not just on replacing income but also on enhancing human capital and reducing the social and political marginalization

of ethnic minorities who traditionally cultivated opium poppy. Development workers committed to long-term engagement with individual poppy farming families to improve their situations. Initial simplistic approaches that sought replacement crops—like onions, garlic, cabbage, or more valuable cash crops like apricots—were gradually supplemented by a focus on broader socioeconomic development and human capital enhancement. This included improving infrastructure connectivity, developing value chains, and expanding access to healthcare and education for villages engaged in opium production. (Felbab-Brown, 2017)

The Colombian government must prioritize infrastructural development, enabling farmers to transport and sell their crops more effectively. Improved infrastructure would also facilitate better communication and connectivity among different stakeholders. These efforts encompass ecological, social, and ethnic dimensions, all intricately intertwined, necessitating careful consideration in the search for sustainable solutions to coca cultivation and the associated poverty. The approach should encompass more than just the economic realities; it must also include environmental protection, recognition of indigenous peoples' rights, and empowerment of local communities. This comprehensive strategy requires a nuanced understanding of the multifaceted nature of the issue, recognizing that addressing the challenge of coca cultivation involves more than just changing agricultural practices. It requires a holistic approach that respects and integrates the diverse needs and perspectives of all those affected, fostering an environment conducive to long-term sustainable change.

7 Current Developments in Colombia

Since November, the National Liberation Army of Columbia (Ejército de Liberación Nacional/ ELN) and Colombia's first left-leaning government have initiated peace talks, with four rounds of negotiations already completed. An unprecedented level of public involvement is being encouraged in the ongoing peace process to secure a lasting peace agreement. This agreement, known as the "Great National Agreement" (Gran Acuerdo Nacional), is expected to be finalized by May 2025. (Meyer, 2023)

Colombia's new president, Gustavo Petro, has introduced significant changes in drug policy by banning the use of glyphosate and the forced destruction of coca plantations. The primary objective of this measure is to shift the focus of small farmers away from criminal drug traffickers and to restore community trust in the government. The government is relying on a rural development program that envisions a gradual transition from coca cultivation, supported by public funds allocated for affected coca regions. (Baskici, 2022)

Colombia's new Minister of Justice, Néstor Osuna, has emphasized that cocaine will remain illegal in the country. However, farmers might receive licenses to grow coca leaves for medicinal purposes. Osuna confirms that in the future, the police and judiciary will focus more on combating drug cartels and businesses involved in money laundering for drug traffickers, rather than targeting farmers. (Gustavo, 2022)

The objectives include reducing 90,000 hectares of illegal coca cultivation by 2026, which will result in a 43% decrease in cocaine production and the elimination of 11.823 billion doses of cocaine from the market. Of the 90,000 hectares, 69,000 hectares will be voluntarily eradicated to promote the transition to legal activities, while 23,000 hectares will be forcibly removed from high-yield industrial crops. This will have significant economic impacts, causing losses between 55 and 86 trillion US dollars due to illegal financial flows. This policy will enable about 50,000 of the nearly 115,000 families currently reliant on illegal coca to transition to legal economic activities. (Minjusticia, 2023)

Eventually, a challenge is encountered due to the initiative's limitations in encompassing and providing support to all families. It is yet to be determined whether this will serve as an effective measure to alleviate the situation.

8 Conclusion

Opinions suggest that the new agreement in Colombia may not spark a revolutionary change, primarily because it does not introduce land reform or significantly alter the role of security forces. This agreement could represent an initial step towards forging meaningful cooperation with communities that have traditionally had minimal interaction

with the government. This collaborative effort is crucial in addressing their issues of isolation, poverty, insecure land tenure, reliance on illicit economies, and insufficient protection. (WOLA, 2016)

The recent years have seen a surge in coca cultivation in Colombia, reaching unprecedented levels, coupled with an escalation in conflicts involving armed groups. This situation has elicited increased pressure from both Bogotá and Washington to eradicate coca cultivation. The dominant belief is that eliminating or poisoning coca plants will cut off the roots of criminal activities and violence. Contrary to this belief, the state's aggressive eradication measures often exacerbate the impoverishment of rural communities in Colombia and cement their antipathy towards a government whose interventions are predominantly punitive. Farmers, ensnared in a dangerous limbo among authorities, narcotics traffickers, and violent factions, disproportionately endure the consequences of these policies. As the most vulnerable segment in the supply chain, they face dire repercussions for any non-compliance. (Crisis Group, 2021)

The implementation of the new peace plan necessitates not only the execution of farmer subsidies but also their consistent application. It is imperative to identify and establish viable alternatives to coca cultivation, enabling farmers to sustain their livelihoods and break free from the cycle of dependency on illicit crops.

A broader and more profound approach is required. The focus should shift from targeting individuals who are constrained by circumstances beyond their control to addressing systemic issues. The Colombian government's strategy should pivot from short-term eradication tactics to investing in long-term programs that ensure the livelihoods of rural communities. It is essential to provide comprehensive subsidy methods accessible to all farmers, fostering an environment where they are not just passive recipients of aid but active participants in shaping their futures.

Furthermore, establishing robust infrastructure is vital for facilitating effective communication between the government and rural communities. This infrastructure would empower farmers to independently market their products, thereby enhancing their economic autonomy. It would also

play a significant role in bridging the gap between remote areas and the central government, fostering a sense of inclusion and participation among rural populations.

To effectively address the multifaceted social, economic, and ecological challenges posed by coca cultivation, a holistic approach is needed. This approach calls for concerted efforts and collaboration among governments, international organizations, and local communities. Only through such collective endeavors can sustainable solutions be found that not only mitigate the issues surrounding coca cultivation but also significantly improve the living conditions of the farmers involved. This comprehensive strategy would contribute to a more balanced and equitable development in Colombia, aligning with broader goals of peace, social justice, and environmental sustainability.

In essence, the use of glyphosate in Colombia, particularly in the context of the government's aerial fumigation program, is a matter of profound complexity. It encapsulates a plethora of concerns ranging from immediate public health risks to long-term environmental sustainability, from the intricacies of national security policy to the broader global discourse on human rights and environmental ethics. Addressing these issues requires a nuanced, multi-faceted approach that balances the immediate demands of drug eradication with the overarching objectives of social justice, environmental stewardship, and sustainable rural development.



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Coca Cultivation in Colombian Economy – Considering the 2007 US-Colombian Free Trade Agreement

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Table of contents

1 Introduction	113
2 Coca Cultivation	114
2.1 Social Impact.....	114
2.2 Economic Impact.....	114
2.3 Ecological Impact.....	115
3 Economic Situation	116
4 Political Situation	116
5 US-Colombian Free Trade Agreement	117
6 Solution Design	118
8 Conclusion	119

1 Introduction

According to the overarching theme *Should something happen somewhere else that we don't want to have here?*, this research paper deals with the extended question *How does the 2007 free trade agreement between Colombia and the USA affect the situation in Colombia?*. Focusing on the aspect of coca cultivation this paper is framed by the question of projecting the situation in Colombia onto the situation in Germany. Universal human rights are the unifying force between Colombia in Latin America and Germany in Central Europe. Through the United Nations Declaration, these rights have universal validity regardless of national or ethnic affiliation. (United Nations, no D.) These rights apply to all countries of the world, including Colombia. The situation of the population regarding the economic and ethical components is illuminated on the basis of coca cultivation. Starting with the

topic of coca cultivation, the challenges and interests by groups of people involved are described. The Colombian economy is then examined in order to classify the importance of this topic. The topic of the "free market" is a very relevant one, particularly regarding the economic component and can be supported by free trade agreements. This means that the domestic economy is not only restricted to its own sales market without regulation but is also largely extended to other partner countries. In terms of market liberalization, this would also be relevant for coca distribution. Thus, opening to other markets at the direct level is an export opportunity, but also at the indirect level. Exports can also be expanded via third countries. However, national governments are also responsible for this process. Therefore, this paper also explains the role of Colombian politics in coca cultivation, as it has a significant role in the cultivation

and trade of the coca plant as well as in external economic relations. Furthermore, the paper attempts to construct a possible solution to improve the living situation of the people in Colombia. The factors of the economy, politics, foreign policy and the relationships between the individual actors are considered in order to arrive at a solution that is as balanced as possible, taking into account the norms of human rights.

2 Coca Cultivation

The first section describes the challenges and individual interest groups involved in the cultivation of the coca plant. This is followed by a description of the effects resulting from cultivation, with a distinction made between the social, economic and ecological aspects.

2.1 Social Impact

This section covers the effects the cultivation of the coca plant has on the population in Colombia. The first impact is in the workplace. As coca production is an agricultural industry, it is traditionally associated with large amounts of manual labor. This sector therefore has a positive impact for society, as it generates jobs. As a result, employment opportunities are created that require little to no education, creating a viable source of income is available for many inhabitants. This is an opportunity for partial independence, especially for those who are not gainfully employed. This area would be a possible source of income

As coca production is an agricultural industry, it is traditionally associated with large amounts of manual labor. As a result, employment opportunities are created that require little to no education, creating a viable source of income is available for many inhabitants.

for 11% of the population. (Statista, 2022) Thus, people can organize their lives more freely and can therefore participate better in life.

In addition to the social aspect of life involvement, there is also a social effect of spiritual benefit which has a long traditional use in South American culture. The pure leaves of the coca plant, administered as tea or chewed, are traditionally used for spiritual reasons. (Gustafson, 2010) The focus is on the hallucinatory effect and the trance-like states induced. In addition to the spiritual effect, which is still used in indigenous circles today, the medicinal effect also plays a role. (Biondich and Joslin, 2016) It is traditionally used to fight cancer, stress and hunger. The benefits against stress in particular are generated by a temperature-regulating effect, although it is not known exactly how this is generated. (Goldstein, et al., 2009) It is also traditionally used to counteract the symptoms of altitude sickness. (Bauer, 2019) As part of its spiritual effect, it also shapes and influences social groups.

However, the cultivation of coca also has negative effects on society. For example, the financial interests of political groups cause divisions in society. (International Crisis Group, 2021) Additionally, the large financial profit from production and distribution, which will be explained later, creates tensions in society. These civil society groups form their outgrowths on both the left and right of the political spectrum. For example, groups such as the FARC, Fuerzas Armadas Revolucionarias de Colombia, operate in the left-wing political sphere and groups such as the AUC, Auto-defensas Unidas de Colombia, in the right-wing political sphere. (Felbab-Brown, 2005) In the following chapters, these constellations will be placed more precisely within the construct of coca cultivation.

2.2 Economic Impact

The following section delves into the intricate economic dynamics surrounding coca cultivation. It meticulously examines not only the intrinsic value generated within the cultivation process but also the subsequent value generated in foreign markets. However, the value added from the actual cultivation of the coca plant to the financially valuable cocaine is explained first.

In the beginning, the production of cocaine, a product of the coca plant, is described. It is assumed that there is suitable land available for agriculture. The coca plant grows on this land and yields a harvest. Value creation turns out to be extremely lucrative and financially rewarding. For understanding the process, the steps for value creation are as follows:

1. The coca leaf serves as the basic material. This is then processed into a coca paste.
2. This paste is then processed further until it finally becomes cocaine base paste.
3. It is the direct precursor to the subsequent final product cocaine hydrochloride, better known as cocaine.
4. Very profitable value-added processes are carried out in phases via these steps, which are carried out by various individual players or a single player. In this way, each step has its own value chain with its own beneficiaries.

Then, following, the first value creation process starts with the farmer, who cultivates the perennial shrubs. As this can usually be done for many years with the same shrubs, it can be assumed that only the yields are considered. The prices for one kilogram of the corresponding component are assumed in order to be able to establish comparability with normal quantities. In the beginning, the starting product, the coca leaf, costs \$0.60 USD per kg. In the next step, the value increases by 91,108%, from \$0.60 USD per kg of coca leaves to \$547.25 USD per kg for the coca leaf paste. This enormous increase leads to a significant enrichment of individual groups of people. This enrichment continues with the processing of the base paste for cocaine. At this point, however, there is only a very small increase in value added of 19%, with 1 kg of this base paste costing \$651.18 USD. Taking the product to its final form, cocaine hydro-

chloride, creates a further increase of 88%, making 1 kg of cocaine in Colombia cost \$1,224.61 USD. Incentives to trade in this commodity are also set in this section of the value chain. Additionally, it should be mentioned that this value creation mechanism is carried out illegally. (Statista, 2022) This value creation, coupled with the high production rate of 783 metric tons in 2022, arouses appetite among target groups and value drivers. Due to the fact that the production and sale of cocaine is also illegal in Colombia, the state does not receive any tax revenue from it. This can lead to a deficit in the performance of state functions. However, the value added also provides benefits for the groups involved, that they have a source of income, which in turn has a positive effect on economic performance. However, it is important not to forget who or which groups are involved in the income. For example, left-wing groups such as the FARC use the income from the coca business to finance projects for the general public. (Felbab-Brown, 2005) Of course, it should be noted that this is not done in cooperation with the government, but under its own para-military leadership. This creates a para-military structure that exists parallel to the recognized structures.

2.3 Ecological Impact

The following section analyzes the ecological impact and consequences of agriculture using the coca plant. In Colombia, 207,000 km² are used for the cultivation of coca, which corresponds to around 18% of the country's land area. (Statista, 2023) The area used for the agricultural use of the plant is mainly located in protected nature reserves. This may be due to general illegality and cultivation by para-military groups, and is accompanied by the deforestation of natural areas of rainforest. This results in a loss of biodiversity, which adapts to the natural conditions of the forest. This type of management can be traced back to the FARC groups. However, projects by the government in cooperation with the society shows a trend towards converting agricultural land into land for livestock farming. This is then controlled by the state but encroaches even more strongly on the areas that should be protected. (Murillo-Sandoval, et al., 2023) Together with the associated monoculture, this has negative consequences for

the environment. These include the deterioration of soil quality and the scarcity of drinking water. The deterioration in soil quality is often due to the one-dimensional natural demand for nutrients and the scarcity of drinking water resulting from the pollution of groundwater, which is caused by the increased use of pesticides and fungicides. (Puri et. al., 2023)

3 Economic Situation

The following section focuses on Colombia's economic situation to illustrate the importance of coca value creation. The GDP, gross domestic product, is the main indicator of economic success. It can be used as an indicator of performance, i.e. the end products and services produced within a time period. This value can be used to evaluate a country's economy and compare it with other countries or groups of countries. However, it should be noted that the results shown by GDP are purely economic in nature and do not include factors such as society or the environment, it is therefore a purely economic projection. (Callen and Sarwat, no D.)

Colombia's GDP in 2022 was \$6,624 USD per capita, which is below the average for all countries in Latin America and the Caribbean. In this average, it is \$10,344 USD per capita, which corresponds to a higher level of 56.16%. In relation to this, Brazil and Mexico in particular raise this average level of GDP in Latin America and Caribbean. (World Bank, no D.) The sector distribution of GDP has also seen an increase in the share of agricultural production in recent years, which is in line with the trend in this region. From 2012 to 2022, this rose almost continuously from 5.58% to 8.29%. (Statista, 2023) This puts it on average 2% above the agricultural GDP shares of Latin America and the Caribbean. (Statista, 2022) Colombia's average income is \$6,510 USD per capita, which is around a quarter below the regional average income. (Statista, 2022) The country therefore appears to operate below the regional average in economic terms. However, against the background of the high profitability on which coca value creation is based, this calls the financial distribution into question.

The Gini coefficient, which assesses the income distribution of private households according to their distribution situation, is used for that apprai-

sal. It shows what percentage of the population receives what share of income. A society is divided into parts and the corresponding income amounts are assigned to them; two extremes of distribution are assumed as limits. One extreme represents total equality, which assigns the value 0 to the Gini coefficient; it is assumed that every participant in society receives the same share of income. The other extreme represents total inequality, which assigns a value of 1 to the Gini coefficient. In this case, it is assumed that one person receives the entire income and all other members of society receive no income. In reality, the values 0 and 1 cannot be assigned in the income distribution equation. For practicability, the Gini coefficient for the income range is defined on a scale of 0 to 100. According to this finding, the Gini coefficient is suitable both for the consideration of an individual state to evaluate the national distribution and equity policy, as well as for comparison with other states. (Office for National Statistics, 2022)

The Gini coefficient for Colombia is 54.2, making it the highest in Latin America. (UNDP, 2022) One reason for the high Gini coefficient in contrast with the low average income may lie in the added value of the coca plant. This can result in a very small number of people receiving a large share of the nationally available income. The value added of over 204,001% based on the price per kilogram in combination with an average of 146,500 households in 2014 indicates a very compressed distribution of added value. (UNODC and Government of Colombia, 2015)

4 Political Situation

This section explains the political situation and foreign policy events. Colombia is currently a presidential republic, under the leadership of President Gustavo Francisco Petro Urrego since 2022. Congress is divided into two chambers: the Senate and the House of Representatives. Elections are held every four years. (Auswärtiges Amt, 2023) The combination of high regulatory measures on the part of the government and the low threshold of compliance with the law, that allows laws to be broken creates an area of tension, and this tension creates room for corruption. (Statista, 2023) Regarding to this situation, both left-wing and right-wing forces have formed organizational structures.

This is how the Marxist guerrilla organization FARC came into being in 1964. The 10,000-strong group has control over large areas of the countryside and is aiming to redistribute wealth from the rich to the poor. However, it also opposes the foreign policy efforts of the current government, which is in favor of strong foreign trade and economic agreements. In the view of the FARC, cooperation with other countries, particularly the USA, is an unwanted behavior by the government. For example, the FARC take on state tasks in the areas under their control. Taxes are collected to implement public welfare projects. However, it is this tax revenue that the state lacks in order to carry out state functions. This results in an undesirable tax shift by the state when distributing the tax sum. Due to this conflict between the elected government and the FARC, there are repeated military conflicts in the controlled areas. The left-wing organization uses kidnappings, attacks and sabotage to exert pressure. After many years of violent conflict, a peace agreement was reached between the Colombian government and the FARC for the first time in 2017, which resulted in the handover of all weapons to UN representatives. Since then, the FARC has increasingly transformed itself into a political party and has secured 10 non-elected seats in parliament. (Britannica, 2024) In addition to the FARC, the ELN, National Liberation Army, is also active on the left-wing spectrum. Like the FARC, this group was formed in 1964 and fights against the government. The main point of confrontation is injustice in social, political and economic issues, for which the Colombian government is held responsible. Likewise to the perspective of the previously mentioned organization, the foreign policy relationship with the USA is a thorn in its side. In addition to its activities in the drugs business, the ELN is also involved in illegal gold mining in Colombia itself, as well as in Venezuela. Its methods of exercising power include the kidnapping of political actors and para-military confrontations. (Stanford University, 2019)

As with the FARC, Colombia was also prepared to engage in peace negotiations with the ELN. However, these were not carried out consistently, as the group was inactive at times due to its small number of members. According to estimates, 2,402 people are currently directly involved in the orga-

nization. (Murphy and Acosta, 2019) However, the last attempts at peace negotiations in 2017 were ended by fighting on the part of the ELN in 2019 without the wanted result. ELN is still doing violating attacks there.

5 US-Colombian Free Trade Agreement

The following section discusses the free trade agreement between the USA and Colombia from 2007. The main objective of the FTA is to facilitate trade in goods and services between the two countries. To achieve this goal, this FTA contains three core topics. First and foremost is the elimination or reduction of taxes on imported products from both countries. This should ensure a higher density of trade and service flows, which should strengthen the respective economies. Another point is the labor and environmental regulations. The Colombian economic and social system is to be brought closer to that of the USA. However, in 2008, there were delays due to disagreements over the regulations in the agricultural sector, which pushed the project back by several years.

The agreement should bring various benefits for both countries. For example, the US would like to increase exports through easier market access to increase its own GDP. The project is also intended to facilitate American FDI in Colombia. However, this agreement also has other advantages for Colombia. For example, the agreement ensures economic stability, as certain export volumes are now more predictable and easier to plan. Furthermore, this agreement will ensure economic growth in Colombia, as the USA will be added to its own domestic sales market.

Overall, the agreement also poses challenges for the countries involved. The areas of labor law, market access and the impact on individual economic sectors are particularly important. In the area of labor law, there is concern in Colombia that the government will not be able to implement and monitor the legal provisions. Similarly, the position of trade unions is not uniformly supported, which creates social tension. In addition, the USA is concerned that it will not be able to fully exhaust all export opportunities in the agricultural sector, which is also in competition with other free trade agreements Colombia has with Canada, for example. (Villarreal, 2011)

This agreement has also changed the conditions for coca value creation, as it is now available to a much larger sales market. Due to the great importance of Colombian cocaine in the global market, which accounts for 61% of the cocaine produced worldwide, the simplified customs route via the USA makes it easier to smuggle these substances. As a result, the cultivation of cocaine in Colombia has become even more lucrative in economic terms. In the USA, for example, there has been a drastic increase in cocaine-related deaths in recent years, which can be attributed to the simplified and easier conditions for importing goods into the USA. (Statista, 2023) Under softer customs regulations, these make it easier to bring drugs such as cocaine into the USA illegally.

6 Solution Design

In this section, possible solutions are developed based on the overarching question *Should something happen somewhere else that we don't want to have here?*. To consider this, the situation is simplified for approachability as follows:

Colombia, a country with a government that has strong laws but is unable to enforce them, is the largest producer of one of the world's most widely consumed drugs. (Statista, 2023) In addition, these produced quantities all come from illegal operations by paramilitary organizations that fight against the government of a country and thus try

Due to the great importance of Colombian cocaine in the global market, which accounts for 61% of the cocaine produced worldwide, the simplified customs route via the USA makes it easier to smuggle these substances. As a result, the cultivation of cocaine in Colombia has become even more lucrative in economic terms.

to achieve their goals by fighting and taking the civilian population hostage.

Is this what the era of globalization is all about? Should things or activities that should not take place in our own countries be outsourced? Surely this is not a solution for a peaceful and fair global community. To bring about a solution or improvement in the situation, a cessation of payment flow from consumers resident abroad could be introduced. This could be achieved through increased controls, for example by customs officials, on the movement of goods across national borders. This would have the effect of making cocaine creation less attractive and thus destroying the business model of those involved in cultivation. In addition, exports of cocaine would be much more costly and risky, which would further increase prices. With this effort, the price of cocaine would automatically be higher and possibly cause consumers to disappear from the market due to high price levels. The shortage of cocaine on the world market would also lead to demand-pull inflation. In this case, the price level of a good rises due to an increase in demand in relation to supply. (Perry, 2008) This type of inflation would be intentional, to reach fewer consumers abroad. Additionally, the necessary adjustments would not take place in Colombia, but abroad. This conclusion shows that the problem cannot only be solved within Colombia, but to a large extent via other states and governments. The para-military organizations involved would no longer have a financial basis, which could lead to their dissolution. However, this project would eliminate jobs due to overproduction of cocaine, as production as it currently exists would no longer be necessary. The almost 150,000 households involved would be forced to pursue legally regulated and state-controlled professions. This would give the state new scope for action in the exercise of state functions due to the increase in tax revenue.

Unfortunately, this concept has a difficulty. This difficulty lies in the implementation of global resolutions. They tend to be broad in scope and aim for the distant future, while trying to set directions and define common ground. (Hazeltine, 2003) Consequently, it would be very challenging to obtain a concretely helpful solution with the help of the UN as a binding and unifying element. In addition,

Colombia's coca economy is of great importance to the global economy.

The health and economic damage and the resulting possible family pain caused by the consequences of cocaine use should not be ignored. There can be both short-term and long-term consequences of using this drug, which can manifest themselves in symptoms such as palpitations, cardiomyopathy, or psychosis. In the long term, it can also lead to depression, stomach damage or liver/kidney damage, and death in the worst case. (Walter, et al., 2023) The solutions outlined above would not only reduce the suffering of the population in Colombia, but also the suffering of many of those affected globally.

7 Conclusion

Referring to the research question posed at the beginning, *How does the 2007 free trade agreement between Colombia and the USA influence the situation in Colombia?*, the results of the paper will now be presented. The free trade agreement influences Colombia in almost all areas of its functions. It plays a role in the areas of politics and administration, legislation, the economy and the social and civil society sectors.

Starting with the area of politics, where new diplomatic relations were presented, continuing with the administration, which has taken on other functions in part due to the changing customs conditions with the USA, and in legislation, which has taken on the labor law and environmental law aspects of the agreement. Then there was the transition to the business sector, where new export and import conditions prevail and the formation of trade unions has changed the way companies work. And finally, in the social sphere, with organizations such as the FARC gradually moving from their militant stance to the partypolitical spectrum through negotiations, just as the first trade unions enabled civil society to have a say in labor policy discussions.

However, there are also national and international disadvantages in the coca and cocaine economy. The cocaine smuggling routes resulting from the more open trade routes have had a negative impact on global civil society and the economy. At a national level, the increased quantities of cocaine produced have further increased inequality in

income distribution in the country, which brings with it the potential for social unrest. Regarding the legal situation, it can also be said that it has improved in some areas, particularly at the national level, but has deteriorated globally due to the sharp increase in the health consequences of consumption.



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Conclusion

The three analyses of traditional coca leaf consumption and drug trafficking in Colombia reveal a profound challenge that encompasses social, economic, political, and legal dimensions. Despite extensive efforts, including the United States-supported initiative "Plan Colombia," to reduce illegal drug trafficking and coca cultivation areas, these measures have not resolved the issue. Instead, they have often led to socio-economic and violent conflicts, highlighting the complexity of the matter.

A central aspect of the challenge is the significant human rights dimension. Efforts to combat coca cultivation and the associated drug trade, such as the use of glyphosate for eradication, have raised serious environmental, health, and social concerns. These actions have not only impaired the livelihoods of farmers but also affected the broader community's right to health, adequate living conditions, and economic opportunities.

The coca plant holds cultural significance in Colombia and the broader Andean society, traditionally used for medicinal purposes and as part of spiritual practices. The challenge lies in balancing these traditional uses with the global fight against cocaine production and trafficking. Legal frameworks and international policies have struggled to effectively address these dual aspects. The Colombian government's efforts to control coca cultivation and cocaine production, including military operations and attempts at crop substitution, have faced significant obstacles.

The findings suggest that a continued focus on repression and eradication without simultaneously promoting sustainable alternatives and socio-economic development will not lead to success. Instead, a strategic reorientation is required, recognizing the complexity of the issue and offering a broad spectrum of solution approaches, ranging from strengthening rural development and respecting cultural practices to comprehensive political reforms. The situation is complicated by the involvement of various armed groups, the

economic dependency of many rural communities on coca cultivation, and the ineffectiveness of eradication strategies.

The case study suggests that addressing the issue requires a multifaceted approach that goes beyond eradication and law enforcement. Solutions should focus on sustainable development, alternative livelihoods, respect for cultural practices, and comprehensive policy reforms that consider the socio-economic realities of coca cultivation. International cooperation and a move towards policies that prioritize human rights, environmental protection, and social justice are crucial. In particular, the proposed new 10-year drug strategy reflects the understanding that a long-term, sustainable approach is needed to address the problem. It emphasizes international cooperation, the development of alternative livelihoods, and the importance of addressing the underlying socio-economic factors driving coca cultivation and trade.

In summary, research papers illustrate the complex interplay between traditional coca leaf consumption, the global drug trade, and efforts to combat it in Colombia. Effective solutions require a holistic approach that respects human rights, acknowledges the cultural significance of the coca plant, and addresses the root causes of cultivation and trafficking. This approach must bring together local communities, the national government, and the international community in a joint endeavor.

A key overall conclusion from this analysis is that addressing the challenges surrounding coca cultivation and drug trafficking in Colombia requires a deep understanding of the local circumstances and a strong commitment to human rights, social justice, and sustainable development. Only through such a comprehensive and integrated approach can lasting and positive changes be achieved, not only leading to a decrease in coca cultivation and drug trafficking but also sustainably improving the living conditions of people in Colombia.

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