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The complex NATO-Colombia Agreement

The 25th of June 2013 the Security of Information Agreement between Colombia and NATO was signed by Colombia's Defence Minister Juan Carlos Pinzón Bueno and the NATO Deputy Secretary General Ambassador Alexander Vershbow.

This agreement should have provided cooperation in the security field, through the exchange of military intelligence information in order to improve capabilities on both sides of the Atlantic. In fact Bogotá should have provided the Alliance with its know-how in fighting drug trafficking and international terrorism and at the same time would have gained access to a number of best practices regarding transparency, humanitarian operations and strengthening the army.

It's essential to underline that this agreement did not recognize Colombia as a NATO member (because, technically, it can't become a member of NATO, as only countries within the borders defined by the Washington treaty can join), but is rather about co-operation and sharing military knowledge in order to tackle transnational risks.

For the time being the agreement has been signed and ratified by the Colombian Congress in 2013, but it has been declared not applicable by the Supreme Court due to its unconstitutional nature. The main problems consist in the fact that: "it does not precisely define its purpose", it includes highly problematic aspects regarding the precise determination of information to be exchanged and finally it

does not clearly exclude that “personal information and, in particular, sensitive personal data” could be gathered with the result that the whole process would be opaque. Government sources point out that these are vices of form, but nevertheless the issue requires a clear political and institutional answer.

Politically the agreement has drawn the usual opposition from self-declared “anti-imperialist” governments (Bolivia, Ecuador, Nicaragua and Venezuela) who fear that this could be first step towards a closer co-operation with NATO, a wider US interference in regional affairs and to be in contradiction of the agreements embodied by the Union of South American Nations (Unasur). More importantly the Colombian Congress has rejected a governmental proposal for a further agreement in September 2014.

On the one hand the agreement is in any case a precedent in Latin America and it touches for the first time a delicate subject like drug trafficking, actually not included in the ambit of emerging challenges. On the other its complex sequence of events shows clearly the possible advantages provided by NATO in specific situations.

Notwithstanding the legal issues to be solved, Colombia is on the verge of a historic peace agreement putting an end to one of the longest civil wars in the century: this means that the armed services, freed from its internal security duties, have an objective need to rethink their strategic mission, retrain and reformulate its military education. In the local pol-mil debate this has been clearly stated as well as NATO’s potential role (the 25/9/2015 conference “El Ejército del futuro: entre transformación y doctrina para construir la paz”, held in the private Universidad del Rosario de Bogotá, a university very much engaged in the support to the peace process).

For this reason General Sir Adrian Bradshaw, DSACEUR, paid a visit to the Colombian armed forces the past 1st of February 2016. During this visit the militaries of both sides expressed their hope that Colombia would be eventually a NATO global partner. In the meantime the US administration will seek congressional approval for a new Peace Colombia plan (\$450 million, +33% funding compared to the old Plan Colombia), reasonably geared towards military transition assistance also for a future participation of Colombian forces to UN peacekeeping missions.