

COLOMBIA: TOWARDS ENDING THE LONGEST ARMED CONFLICT IN THE WESTERN HEMISPHERE?*

UCL Institute of the Americas
Policy Briefing
30 November 2012

Executive Summary

After successive past attempts to reach peace agreements there are important reasons to be optimistic that the current talks between the government of Juan Manuel Santos and the Revolutionary Armed Forces of Colombia-Peoples' Army (FARC-EP) may lead to a political solution of the armed conflict in Colombia. A close examination of the ongoing peace talks suggests that a confluence of factors provides a window of opportunity for negotiations, including a positive international context, on-going structural reforms in Colombia, and the willingness of the parties to focus on a limited negotiating agenda. There are nonetheless two key issues of concern that may derail the incipient peace process: first, is the Santos administration able to ensure the support of influential regional elites in Colombia? Such support will be central for the provision of political guarantees and security of demobilised FARC members. Second, will the FARC leadership be able to prevent the splintering of the organisation? The fragmentation of FARC could potentially increase violence, which could not only transform the armed conflict, but also directly affect the process of ensuring the political participation of FARC following the signing of a peace agreement.

Key Historical Lessons

Successive failed attempts to reach peace agreements in Colombia have created widespread distrust amongst the various groups involved in the armed conflict. The current peace talks suggest, however, that three important lessons have been learnt by the parties to the negotiations:

1. The risks associated with violent repression of demobilised members of the FARC must be addressed from the outset. The destruction of the Unión Patriótica (UP) constitutes a historical example that must not be repeated. The issue of political guarantees is indeed the second issue on the official negotiation agenda, which demonstrates the parties' awareness of the importance of providing **effective guarantees to demobilised members** of FARC to ensure their participation in the democratic political process.
2. The **peace talks** need to be **limited both in time and in scope**. The official agenda of the negotiations has therefore been limited to five key areas: land, political participation, end to the armed conflict, drug trafficking, and rights of victims.
3. The **negotiations must include the key sectors of the Colombian establishment** to ensure the sustainability of any peace agreement. Political and economic elites as well as the military are all represented in the Colombian government's team of negotiators.

* This brief has been prepared by Andrei Gomez Suarez and Par Engstrom. The authors convened a group of experts at the UCL Institute of the Americas on 26 October 2012 to discuss many of the themes covered in this brief (see Annex for the list of participants). The analysis contained herein, however, does not necessarily reflect the views of the participants in the above-mentioned meeting.

A Unique Window of Opportunity

The transformation of the armed conflict, together with the favourable international context, the structural reforms underway, and the robust public support for an end to the conflict suggest that the current peace talks are taking place at a uniquely propitious conjuncture.

1. **The conflict, the Colombian armed forces, the FARC, and Colombian society itself have changed significantly in recent decades.** The longest armed conflict in the Western Hemisphere is currently being fought between extensively modernized armed forces and a well-equipped and well-financed, but increasingly fragmented and reduced FARC. Moreover, FARC has gradually become distanced from its traditional rural constituencies as the conflict has expelled a very large population of displaced people to urban areas.
2. The **international context** has always played an important role in the Colombian armed conflict. Not only was the Cuban revolution an ideological inspiration for the various guerrilla groups, but the Nicaraguan Revolution and the election of Hugo Chávez in Venezuela at the turn of the millennium have also provided the FARC with influential referent objects to frame and continue their struggle. Similarly, US foreign policy has influenced the security policies of successive Colombian governments. Today, however, the turn to the left in Latin America has been matched by the Santos government's more constructive approach towards regional neighbours. Thus, the renewed partnership between Presidents Chávez and Santos, the inclusion of Venezuela and Chile as facilitators, together with Cuba and Norway as guarantors, have produced an unprecedented conducive international context for peace talks to succeed.
3. The **institutional reforms** implemented over the last 30 years, since the first peace talks between FARC and the Colombian government occurred, have transformed the country's political system. Such reforms have enabled the participation of leftist political parties, including the election of their representatives to important public offices. This has contributed to reducing the legitimacy of the armed struggle. Moreover, the policies of the Santos government are at least in part based on the realisation that Colombia's main problems are not the armed conflict and FARC, but enduringly high levels of poverty and inequality, evident in the disproportionate concentration of land in few hands, and a weak rule of law. The Santos administration has started to move in the direction of structural reform, and it has passed important legislation, including the Victims and Land Restitution Law.
4. President Santos, in particular, and the peace talks in general, count on significant levels of **public support**. Moreover, both urban and rural social movements have started to consolidate a broad political platform to support the peace process.

Main Challenges

In spite of the favourable political context for the peace talks, serious challenges remain:

1. **Fragmentation of FARC.** It is recognised that in certain regions, such as Chocó, complex connections exist between FARC, demobilised paramilitary groups engaged in criminal activities ("BACRIMs") and the armed forces. One significant challenge will be whether the FARC's leadership can disarm and demobilise some of these units that are currently involved in highly profitable criminal activities.

2. **The continuing conflict**, including the targeting of social movements and the role of BACRIMs. Violence against social movements, including targeted assassinations, continues in Colombia. In the last year only, according to some reliable estimates, neo-paramilitary groups have assassinated at least 25 community leaders involved in the land restitution process.
3. **Security for demobilised FARC members**. Significant doubts exist over the extent to which the Colombian government is able to guarantee the security of demobilised FARC members willing to participate in democratic politics. Influential sectors of the political right in Colombia continue to question the possibility of FARC's political involvement. The polarisation of Colombian society, which can in part be explained by the FARC's continuing armed struggle, makes transformation of FARC into a political party unlikely. Although the ongoing consolidation of a broad political platform could provide an important window of opportunity for FARC's leadership to reintegrate into the democratic political process, the challenge is whether the Colombian government is able to guarantee their political participation in such a platform.
4. **The political economy of the armed conflict**, particularly drug trafficking and the role of landowning elites. President Santos has indeed launched a high-profile call for a revision of the so-called 'war on drugs'. Yet, Santos has also declared that Colombia will continue to fight illicit drug-trafficking by traditional means, at least until an international consensus emerges around an alternative policy approach. Such strategic re-thinking is unlikely to consolidate any time soon, and current failed policies in the struggle against drug trafficking may contribute to fuel new conflicts in Colombia. Resistance among regional landowning elites could also prevent reaching a peace agreement. Opposition to the peace talks and the land restitution law in particular have already been strongly expressed. In the Atlantic Coast region, for instance, a 'counter-agrarian reform' still seems to be underway. A central concern is whether the Santos government has the necessary political leverage to ensure the support of regional elites for the peace process. Therefore, the Colombian government will also have to deal with right-wing regional elites unwilling to support structural reform in Colombia.
5. **The economic model**. There are considerable tensions between the efforts to ensure a genuine agrarian reform, as part of the agenda of the peace talks on the one hand, and the Colombian government's macro-economic model emphasising foreign direct investment and agro-export industries that is not part of the agenda, on the other. The Santos government is likely to have to address this tension at some point soon. The challenge is to demonstrate in practice that a more equal distribution of land is at the core of the country's macro-economic model and that further adjustments can be done in consultation with all affected sectors of Colombian society.
6. The **energy and mining sector** has become a major element in fuelling the armed conflict. Illegal mining activities encourage the perverse convergence of interests between drug traffickers and FARC in some areas, whereas legal mining has resulted in social conflict between social movements and transnational companies in others.
7. **Alternative mechanisms to ensure meaningful participation of civil society**. In the initial stages the peace talks may need to be restricted to the representatives of the Colombian government and the FARC. However, demands for genuine mechanisms of political participation of civil society are very likely to increase, to include victims of the armed conflict as distinct voices from those of the FARC, the elites and the government.

The Road Ahead

There are indeed many reasons to believe that the current peace talks may bring the armed conflict with the FARC to an end. Serious challenges remain however, that must be overcome to ensure a peaceful resolution of the armed conflict.

RECOMMENDATIONS:

1. **Establishing a mechanism to disseminate public information.** The Colombian government and FARC need to approach the peace talks strategically with the key objective being the end of the armed conflict. There is a strong rationale therefore for restricting the agenda of the peace talks and to limit the number of actors around the negotiation table. However, to deal with the apprehensions of large sectors of Colombian society and to manage the high expectations, the negotiating teams should establish a mechanism to deliver concise, frank and transparent public statements regarding progress made.
2. It must be recognised that the parties at the negotiation table are not representative of Colombian society. A mechanism to convey the concerns of different sectors of Colombian society therefore needs to be carefully crafted. Such a mechanism should, in particular, be **gender sensitive** and guarantee the effective participation of women to ensure that the pervasive violence against women that has characterised the Colombian armed conflict is addressed.
3. **Public debate about the implementation phase.** Colombian society should also approach the talks strategically. Civil society initiatives will be most constructive if conducted away from the negotiation table, at least during the negotiation phase. However, fundamental debates concerning the future of Colombian society should be encouraged concerning the economic model best apt to reduce the country's extreme levels of poverty and inequality; the mechanisms needed to rebuild the social fabric; and the most appropriate and effective ways to reintegrate former combatants into Colombian society, especially at the local level.
4. The Colombian government should strengthen the process of **institutional reform** to build the conditions for a sustainable peace. International partners could have an important role in these reform processes, particularly in relation to the effective implementation of the Victims Rights and Land Restitution Law. Specific policies will need to focus on appropriate transitional justice mechanisms, reintegration strategies, human security, and, crucially, the demilitarization of Colombian society. Such policies would also enable a positive context in which the peace talks could unfold, by addressing the spectre of impunity (regarding human rights violations perpetrated by the Colombian armed forces) and the spectre of amnesty without justice (regarding the reintegration of members of FARC into democratic political processes). They would also enable the consolidation of political platforms, such as *Marcha Patriótica*, in which the voices of marginalised sectors of Colombian society are heard, and where the political participation of demobilised members of FARC would be possible. It is important to emphasise, however, that because of important differences between the FARC and some social movements that have come together into *Marcha Patriótica* this is likely to be an uneven and highly challenging process of political reintegration.
5. The Colombian Government should start designing specific **security measures** to protect demobilised FARC members, and to ensure genuine opportunities for political participation. Security reform is usually a protracted and challenging process. The sooner policy-makers start dealing with it the better.

About the authors

Dr. Andrei Gomez-Suarez (A.Gomez@sussex.ac.uk) is Associate Researcher at the University of Sussex. He is also a Senior Researcher at the Centre for Historical Memory, of the Department for Social Prosperity of the Colombian Government. His current research focuses on the destruction of the Unión Patriótica. He has been lecturer in Politics, International Relations and International Security at the University of Cauca, Externado University, and the University of Sussex. He has recently finished a consultancy on conflict and development in Huila and Caquetá. Andrei studied International Relations (DPhil) and Contemporary War and Peace Studies (MA) at the University of Sussex and Conflict Resolution (GD) and Political Science (BS) at the University of Los Andes.

Dr. Par Engstrom (p.engstrom@ucl.ac.uk) is Lecturer in Human Rights of the Americas at the UCL Institute of the Americas. His current research interests focus on regional human rights institutions both comparatively and with a particular reference to the Inter-American Human Rights System. Dr Engstrom is also co-chair of the London Transitional Justice Network (LTJN). He was previously Lecturer at the Human Rights Consortium, University of London, and has taught human rights, International Relations theories and International Security at various Oxford colleges, and at Oxford Brookes University, the School of Oriental and African Studies (SOAS), and at Warwick University. He studied International Relations (DPhil) at Oxford University; Latin American politics (MSc) at the Institute of Latin American Studies, University of London; and Philosophy and Economics (BA) at University College London. Prior to his doctoral research Dr Engstrom worked at the Office of the High Commissioner for Human Rights (OHCHR) in Geneva on issues relating to the freedom of religion or belief, and the human rights of migrants, respectively.

About UCL Institute of the Americas

The UCL Institute of the Americas is dedicated to promoting and co-ordinating teaching and research on the Americas, covering the United States and Latin America, the Caribbean and Canada. The institute provides students with an opportunity to acquire an in-depth and multidisciplinary knowledge of the Americas that is unique in Europe. As well as offering a large range of courses, the UCL Institute of the Americas organises a dynamic programme of conferences, seminars and other events for scholars, researchers, business, policy-makers and the general public. An important aspect of the Institute's work is the development and support of scholarly networks covering a range of themes, disciplines, and countries. Further information is available at the Institute's website: <http://www.ucl.ac.uk/americas>.

ANNEX 1: Event Programme

26 October 2012

UCL Institute of the Americas, 50-51 Gordon Square, WC1H 0PQ

1-1.15 Welcome and Convenors' Introduction

1.15- 3.45 Colombian Peace Talks: 30 years of failures and escalation of the conflict

Themes:

- (i) A brief review of the armed conflict
- (ii) The armed conflict and peace talks since 1982

Roundtable discussion:

- Nick Morgan (Newcastle)
- Malcolm Deas (Oxford)
- Jenny Pearce (Bradford)
- Louise Winstanley (ABColumbia)
- Chair: Paulo Drinot (UCL-IA)

3.45-4 Coffee

4-5.30 The Santos-FARC Peace Talks: negotiation strategies and the challenges for the future

Themes:

- (i) When and how did the Santos-FARC peace talks start?
- (ii) How different are the Santos-FARC peace talks from previous experiences?
- (iii) How likely are the Santos-FARC peace talks to succeed?
- (iv) What are the main challenges after Oslo?

Roundtable discussion:

- Grace Livingstone (Cambridge)
- Markus Schultze-Kraft (IDS)
- David Maher (Kent)
- HE Mauricio Rodríguez Múnera (Ambassador of Colombia to the UK)
- Chair: Maxine Molyneux (UCL-IA)

5.30-5.45 Convenors' Conclusions – Colombia 2013: peace without conflict or conflict without peace?

5.45-7 Drinks reception