



Stabilisation Unit

**Elite Bargains and Political Deals Project:
Colombia Case Study**

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Background to Elite Bargains and Political Deals Project

This case study is one of a series commissioned to support the Stabilisation Unit's (SU's) development of an evidence base relating to elite bargains and political deals. The project explores how national and international interventions have and have not been effective in fostering and sustaining political deals and elite bargains; and whether or not these political deals and elite bargains have helped reduce violence, increased local, regional and national stability and contributed to the strengthening of the relevant political settlement. Drawing on the case studies, the SU has developed a series of summary papers that bring together the project's key findings and will underpin the revision of the existing 'UK Approach to Stabilisation' (2014) paper. The project also contributes to the SU's growing engagement and expertise in this area and provides a comprehensive analytical resource for those inside and outside government.



Executive Summary

This paper explores the national and international interventions aimed at ending decades of violence between the Colombian state and the Revolutionary Armed Forces of Colombia (FARC-EP). It documents and analyses the political, security, juridical and socio-economic interventions that were most effective in facilitating and sustaining progress towards the political deal between the government of President Juan Manuel Santos and the FARC-EP, reached on 24 November 2016 and ratified by the Colombian Congress on 1 December 2016. This agreement superseded the first peace deal, which was rejected by a narrow margin in a plebiscite on 2 October 2016.¹

The FARC-EP ceased to be an armed organisation in June 2017, and is in an ongoing process of demobilisation. Meanwhile, negotiations began in February 2017 with Colombia's other major armed group, the "*Ejército de Liberación Nacional*" (ELN, National Liberation Army), and in September 2017, a 102-day bilateral ceasefire was announced between the armed forces and the ELN. This report, however, focuses on the completed negotiations with the FARC-EP.

The build-up to a deal

The Colombian context has been characterised by a mosaic of sub-national conflicts and diverse and mutually reinforcing patterns of political and criminal violence, in particular related to the drug economy. This highly complex environment has meant that interventions to reduce violence and increase local, sub-national and national stability (and therefore contribute to an eventual settlement), have had a strongly variable impact. Given the specifically sub-national nature of Colombia's armed conflict and the multifaceted nature of violence, particular zones of the country underwent and were affected by stabilisation interventions to differing degrees and at different points in time.

Under President Alvaro Uribe (2002 – 2010), and in the framework of Plan Colombia, all-out war was waged against the FARC-EP, resulting in important levels of military pacification throughout the country under Uribe's Democratic Security Policy (DSP). Under Uribe, so-called consolidation programmes that sought to reconstitute civilian authority throughout the country were partially successful as state institutions were built in some areas formerly controlled by the guerrillas. However, despite the impact of the DSP the guerrillas were not defeated. They maintained significant presence and capacity in their traditional rural strongholds, and adapted to the damage inflicted upon them by the military.

During the subsequent political administrations of President Santos, the government took advantage of the weakened insurgency, and continued successful military operations against the FARC-EP through a partial extension of the DSP. However, from the beginning of his presidency, Juan Manuel Santos also sought to orchestrate a peace agreement with the guerrillas, announcing talks with the FARC-EP in 2012 following secret meetings and talks that had taken place the previous year.

Santos pushed for negotiations for a series of reasons, including the evident hurting stalemate with the FARC-EP; his own individual ambition to bring peace to Colombia; and the requirement to pacify the country in order to open up guerrilla-controlled areas of Colombia for resource extraction and exploitation. At the same time, the hurting stalemate also led the FARC-EP to negotiate, given their increasing isolation from Colombian society and from a Latin American left that has, over the last two decades, chosen to participate in political democracy (and done so successfully) rather than pursue armed struggle.

¹ The plebiscite saw the "No" vote win by a negligible margin of 50.21 percent against 49.78 percent for the "Yes" vote. Only 13 million out of 35 million registered voters cast a vote.



External interventions

President Juan Manuel Santos trod a prudent path during the four years of negotiations. He maintained military operations while negotiations were taking place, which proved to be a successful strategy. The parties to negotiation opted to carry out talks in Havana, an important decision given the capacity of the Cuban government and the trust imbued in it by the guerrillas. At the same time, international actors played a key role in generating the conditions for the talks, in particular the guarantor countries, Cuba and Norway; and the accompanying countries, Chile and Venezuela. Colombia's relationship with the governments of both Venezuela and Ecuador during the Santos administrations – governments trusted in part by the FARC-EP secretariat due to their tolerance and, at times, support of the insurgents – improved substantially, and played a key role in keeping the peace process on track.

An incomplete peace

While indices of conflict-related violence between the state and the FARC-EP have gradually reduced since peace talks began in 2012, killings of, and threats against, human rights defenders and land activists have increased over the past five years. At the same time, other incidents of violence, in particular criminal and drug related violence, have also continued unabated and, in some cases, increased. Therefore, while partial military pacification within the framework of the armed conflict with the FARC-EP may have been achieved, this has not been the case in other spheres.

The limited peace agenda addresses some of the key causal factors of the armed conflict and political violence, including agrarian issues, political participation, and illicit crops. The negotiating parties also opened up talks to victims and civil society actors in an effort to guarantee a more inclusive peace agreement, an initiative that brought credibility and legitimacy to the peace process. What remains acute, however, is the drug economy and its related violence.

The government's negotiating team included trusted high-level members of the security forces, the private sector and skilled negotiators. At the same time, talks eschewed engagement with the broader economic and political model. These decisions brought potential detractors on side, while at the same time limiting the long-term impact of major spoiling actors. The FARC-EP brought most of the members of its secretariat and major front commanders to Havana in a successful attempt to maintain unified organisational support for the negotiations. This maintained chain of command, despite their significant geographical fragmentation.

All accords have now been signed, and all FARC-EP weaponry was handed over to the United Nations monitoring mission on 27 June 2017 and subsequently extracted from the so-called 'Concentration Zones' in mid-August. At the end of August 2017, the guerrillas officially transformed into a formal political party, the "*Fuerza Alternativa Revolucionaria del Común*" (Common Alternative Revolutionary Force.) The UN Security Council has also unanimously approved a resolution authorising a mission in Colombia that would run through the 2018 elections in which FARC candidates will likely compete. What now remains is to complete the reintegration of the guerrillas into civilian life, a process that is likely to be protracted and complex.



Part I – Background to the Conflict

The following section outlines the course of Colombia's armed conflict between when it started in 1964 and the present day, exploring the changes in patterns of violence and drivers of conflict. The armed conflict was preceded by political violence throughout the country, which lasted for more than a century. In this respect Colombia has experienced diverse, complex and mutually reinforcing forms of political and criminal violence, perpetrated by state and non-state actors. The latter has included insurgent and paramilitary organisations, and drug trafficking/producing organisations.²

As early as the nineteenth century, political violence between Conservatives and Liberals was rife throughout urban, semi-rural and rural areas, culminating in the so-called *la violencia* (1948-1974). These patterns of violence shifted when the country's internal armed conflict began in the 1960s, with the creation of the Revolutionary Armed Forces of Colombia (FARC-EP) and the National Liberation Army (ELN) in 1964, and the subsequent establishment of the Popular Liberation Army (EPL) in 1967.

Colombia's revolutionary movements were embedded within the ideological, military, political and economic logic of Latin America's Cold War.³ They also emerged out of rural Colombia, and were a response to historically embedded structural factors. As with many other countries in the region, exclusion, poverty and inequality – including unequal land distribution and tenure and the closure of the formal political system to effective political alternatives – lay at the root of the insurgencies. At the same time, the absence of a functioning state apparatus across vast swathes of Colombia's territory, and a corresponding weakness in the rule of law, exacerbated systematic exclusion and the lack of meaningful access to formal political channels.⁴ In the case of the latter, the National Front (1958-1974), a bipartisan power sharing agreement aimed at resolving *la violencia* between Liberal and Conservative elites that had impeded the participation of alternative political parties, provided the context in which guerrilla insurgencies mobilised.⁵ Continuing socio-economic and political exclusion remained key drivers of violence in Colombia, and thus were and remain factors impeding sustainable peace.

As a result, Colombia's armed conflict was initially characterised by a predominantly rural and local dynamic affecting peripheral zones of the country: between the 1960s and 1980s, political violence perpetrated by insurgent and paramilitary groups affected rural zones of the country disproportionately.⁶ Therefore, the conflict initially remained isolated from Colombia's sizeable urban middle-class, permitting a degree of political and socio-economic stability, and Colombian society gradually learnt to coexist with it.

By the early 1980s, the FARC had consolidated itself as a military force with a robust social base in its traditional, principally rural strongholds of southern, eastern and south-central highlands of Colombia. After consolidating politically at the beginning of the 1980s, the organisation advocated a new military strategy committed to the combination of 'all forms of struggle'. The FARC-EP subsequently developed a strategy of direct confrontation with military forces while expanding its

² Sánchez and Bakewell distinguish between three historical cycles of war and violence. Firstly, the civil wars between elites throughout the country during the 19th century. Secondly, internecine and protracted violence during the mid-twentieth century, shaped by peasant insurgency and official terror. Termed *La Violencia*, said cycle was driven by the irreconcilable fracture between the Conservative and Liberal parties. Finally, a third cycle of violence manifest in the country's recent armed conflict (1985: 799).

³ Joseph and Grandin, 2010.

⁴ Deas contends that Colombia's conflict and violence was precipitated by deeper, more complex causes and cannot adequately accounted for as a rebellion against an oligarchy or economic and political order (Deas 1997: 363).

⁵ Gutierrez Sanin et al. 2007; Arias and Goldstein 2010.

⁶ Ramírez 2006.



political activity – and, subsequently, its military operations, including towards urban areas. As the conflict spread, it increasingly impacted heavily upon the civilian population which bore the brunt of the brutal violence perpetrated by all parties to the conflict.⁷

By the end of the 1980s, the FARC-EP's strategy began to represent a threat to the economic status quo, as the insurgency began increasingly to assert control in rural areas. Consequently, an intense wave of paramilitary violence, sponsored by the state and the economic elite, began in the 1990s in response to the country's insurgencies. This paramilitary violence drew upon the presence of private militia groups that had evolved over a number of years, culminating in 1997 in the establishment of the United Self-Defence Forces of Colombia (AUC), which were closely linked to the formal political elite and economic actors.⁸ By the mid-2000s the AUC's violent response weakened the insurgency in key conflict areas, pushing the guerrillas back to peripheral zones.

As a result of its relative military success, direct paramilitary activity had ended by 2007 with the demobilisation of the AUC and other paramilitary groups between 2003 and 2006 within the framework of the so-called Justice and Peace Law (Law 975) passed in 2005 and its predecessor laws (Law 782 of 2002 and Decree 128 of 2003). The AUC took the decision to demobilise as a result of secret negotiations with President Uribe in El Ralito, in which Uribe agreed to guarantee that former paramilitary combatants would enjoy immunity from prosecution and have the option of assuming a role as formal political actors. However, the law that Uribe had promoted (the Law of Penal Alternatives) was deemed partially unconstitutional by the Constitutional Court, forcing Uribe and his supporters in Congress, who were linked to paramilitary organisations, to formulate a law that was constitutionally acceptable and adhered to international standards – Law 975. Significantly, cattle ranchers, local politicians and media outlets that were linked to paramilitary organisations (parapolitics) did not express explicit public opinion with respect to the demobilisation, nor were they a part of the negotiations.

The demobilisation, disarmament and reintegration (DDR) process pertaining to the paramilitaries, has been a resounding failure. While approximately 32,000 paramilitaries have been formally demobilised, only 3,700 individuals applied as beneficiaries of Law 975. Thousands of individuals have integrated into post-AUC, or, in the words of the Office of the United Nations High Commissioner for Human Rights in Colombia (UNHCHR), *neo-paramilitary* organisations.⁹ These groups, according to the UNHCHR, continue to represent the principal challenge to peace and security in Colombia.¹⁰

Between 2007 and 2010, once the FARC-EP had been weakened by the AUC's military strategy, the Colombian military was reformed with technical, financial and military support from the US. North American support permitted the security forces gradually to gain an upper hand against the FARC-EP,

⁷ In terms of the dimensions and nature of the violence, according to the report *Basta Ya!* By the Centre for Historical Memory of Colombia (2013), between 1985 and 1987 there were 218,094 conflict deaths – 81% of which were civilians, and there were 24,482 kidnappings attributable to the FARC-EP and 2,541 to paramilitary groups. With regards to selective killings, the FARC-EP were allegedly responsible for 3,898, the paramilitaries 8,903 and the security forces 2,399 victims. In terms of massacres during this period, a total of 1,982 were documented, with a total of 11,751 victims: 343 massacres were attributable to the FARC-EP; 1,166 to paramilitary groups; and 158 to the security forces. The report documented a total of 25,007 forced disappearances and the forced displacement of 5,712,506 victims, of which 70% were attributed to the AUC.

⁸ Significantly, in 1997, both the FARC-EP and the ELN were placed on the US Department of State list of Foreign Terrorist Organisations. The United Self-Defence Forces of Colombia (AUC) have been on the list since 2001.

⁹ See Annual Report, Office of the United Nations High Commissioner for Human Rights in Colombia, January 23, 2015. A/HRC/28/3/Add.3.

¹⁰ *Ibid.* Ongoing neo-paramilitary groups include The Black Eagles, the Rastrojos, the Urabenos, the Paisas, the Machos, Renacer (Rebirth), the Gaitanistas, New Generation, the Revolutionary Anti-Terrorist Popular Group of Colombia (ERPAC).



pushing the insurgency yet further out towards peripheral areas. It was within this context that President Juan Manuel Santos was elected president in 2010.

Shifting Patterns of Violence

After the end of the Cold War, the drivers of violence evolved as a result of armed groups becoming increasingly involved in criminal activities, in particular drug production and trafficking, and adapting their military strategies accordingly. Political and criminal violence often became blurred, precipitating shifts in patterns of violence. Following the termination of financial support to the FARC-EP from the former Soviet Union, the guerrillas distanced themselves from their traditional insurgent strategy, developing strategic mechanisms aimed at securing finance, including through both kidnapping and involvement in illicit activities.¹¹

The FARC-EP was not alone in its criminal involvement: all armed actors – guerrillas, paramilitary and state security forces – became intimately involved in drug production and trafficking during the 1990s. As demand from the US increased in the early 1990s, drug trafficking organisations (DTOs), criminal organisations and illegal armed groups – and not infrequently state security forces – generated complex alliances as they sought to maintain control of economic resources, including drug production, particularly at the sub-national and local level.¹²

As a result, drug trafficking by non-state groups came to function as a central factor driving the violence, as well as a key cause of the prolongation of Colombia's armed conflict, in a context in which drug trafficking represented the principal source of income for armed groups.¹³ Drug trafficking activities also permitted excluded populations to develop stable and profitable incomes, and arguably created zones of stability, given that armed groups often made political deals with local state and government actors, exchanging income for immunity and, in the case of the security forces, collaboration.

The FARC-EP began its involvement in the drug trade in the 1990s by taxing cocoa growers and plantation owners in areas under its control, for example in the Amazonas region, including Putumayo and Guaviare.¹⁴ To date, the drug tax – a highly profitable enterprise¹⁵ – is the only involvement in the drug economy to which the FARC-EP has been willing to admit. However, in an interview in 2013 during the negotiations the head of the Colombian National Police Force, General Jose Roberto Leon, stated that the Colombian government possessed information showing that the FARC-EP controlled over 60 percent of the country's drug trade including the trafficking of cocaine, trade with overseas buyers and arrangement of shipments to the US and Europe.¹⁶

The paramilitary groups, which began as armed defence groups financed by staunchly conservative cattle ranchers and landowners in rural zones, emerged at the height of the drug trade and developed an intimate link to the drug economy. According to Colombia Reports,¹⁷ many paramilitary

¹¹ Pécaut 2008.

¹² Idler 2015.

¹³ Petras and Chomsky 2002; Gutiérrez et al., 2006.

¹⁴ Precisely between 1986 and 1995, the FARC-EP doubled its guerrilla fronts from 32 to 60, whilst increasing the number of its members from 3,600 to 7,000.

¹⁵ According to Insight Crime, in areas under guerrilla control, the FARC-EP may demand: a tax on growers - usually not exceeding \$50 per kilo of coca base; a tax on buyers - up to \$200 per kilo of coca base; a tax on production in laboratories - up to \$100 per kilo of cocaine produced; a tax on airstrips and flights that leave their territory - \$100 per kilo. See <http://www.insightcrime.org/investigations/farc-and-drug-trade-siamese-twins>. Accessed 18 June 2016.

¹⁶ See <http://uk.reuters.com/article/uk-colombia-rebels-police-idUKBRE93L18Y20130422>. Accessed 14 June 2016.

¹⁷ Hristov 2017.



leaders were directly linked to Pablo Escobar's Medellín Cartel. These leaders allegedly took over the cartel's trade when it was dismantled and Escobar was killed by security forces in the 1990s.

The AUC, the largest of the paramilitary groups, transmuted into one of the largest drug trafficking organisations in the world. Paramilitary organisations, in particular the AUC, developed and sustained strong networks and relationships with both politicians and state security forces. Many politicians were subsequently investigated in the so-called 'parapolitics' scandal, in which over a third of Colombian congressional deputies were investigated for their links to paramilitaries.

The Policy of Democratic Defence and Security

By the end of 2010, Peru had overtaken Colombia as the leading cultivator of coca, probably as a result of the impact of the *Policy of Democratic Defence and Security* (Democratic Security, DSP) and Plan Colombia, the impact of which was finally being felt within the illegal drugs sphere, and as a result of growing insecurity in Peru.

The DSP had been launched in 2003 with the aim of putting an end to the 'narco-terrorist' FARC-EP, as Uribe defined the insurgents. Its key objective was to counter the insurgency through a series of interrelated goals including strategic military pacification and stabilisation activities. The DSP sought to regain and consolidate state control and presence throughout the national territory with the aim of denying sanctuary for illegal armed actors and perpetrators of violence ('terrorists'); to guarantee the protection of the civilian population through increasing state presence/control and reducing violence; to combat the illegal drug trade and eliminate resultant revenues financing illegal armed groups ('terrorism'); and to guarantee and efficiently manage resources with the aim of reforming and improving the performance of the government.

Alongside the DSP, Plan Colombia was formulated as a national/international collaboration through which to restore rule of law, combat drug-trafficking and address the insurgent problem.¹⁸ Originally conceived of by the US as a Marshall Plan for Colombia, it soon morphed into an overly militaristic intervention programme and, with the consolidation of President Uribe's first term, its original objectives became blurred with the DSP. Consequently, the Plan became a critical aspect of the search for a military solution to Colombia's armed conflict, the restoration of state territorial control and the strengthening of state institutions (see Annex I for further details of the DSP under President Uribe and Plan Colombia).

By 2014, however, levels of coca cultivation in Colombia increased once again from 85,000 hectares in 2013, to 112,000 hectares in 2014, pushing Colombia to reclaim its position as the largest producer of coca globally. Cultivation likely increased due to falling prices for gold (and thus a shift away from legal and illegal extraction of the mineral) and a temporary reduction in the drug crop eradication programme.

Given these changing patterns of violence and, above all, insurgent strategies, there has been much debate over the question of whether or not the involvement of the FARC-EP in the drug economy distanced the group irrevocably from its historical social base and from its original objective of social

¹⁸ The final version of Plan Colombia, *Plan Colombia: Plan for Peace, Prosperity and the Strengthening of the State*, was published in 1999. It was framed around ten key elements: economic recovery: free trade agreements / enhanced access to foreign markets; fiscal and financial reform: austerity/adjustment measures; a 'peace strategy' towards a negotiated peace settlement with the guerrillas; strengthening of the armed forces and the police – to restore rule of law and security; judicial reform – restore rule of law; counter-narcotics strategy (in partnership with other countries): to establish and train new counter-narcotics battalions to secure coca-growing zones; agricultural development and other economic activities for coca farmers and plantation labourers; popular mobilisation to develop more accountability in local government; social programs, for health, education, and alleviation of poverty; mobilization of the international community to participate in the Plan.



and political revolution. In short, did the FARC-EP transform irreversibly into a criminal organisation?¹⁹

Linked to this is another discussion around the issue of how homicides should be categorised. Scholarship on violence in Colombia evidences a range of positions regarding the degree to which diverse forms of violence and the corresponding levels of homicide and victimisation in the country can and should be defined as 'political'. Some have argued that violence in Colombia since the end of the Cold War has become increasingly criminal and thus its political nature has diminished.²⁰ In the words of Deas, 'Most Colombian violence today is neither revolutionary nor political'.²¹ While violence has indeed become increasingly criminal, it would be ill advised to repudiate its political roots and substance, not least given the fact that conceptualisations of violence in Colombia have a bearing on the strategic mechanisms employed to transform violence, to calibrate interventions aimed to mitigate it, and to develop mechanisms oriented towards a sustainable post-conflict scenario.

Part II – Getting to the Talks: Analysis of Stabilisation Initiatives under President Juan Manuel Santos (2010-2014; 2014-2016)

The First Mandate of President Santos

The election of President Juan Manuel Santos, President Uribe's former Minister of Defence, to office in 2010 led to a major shift in the conflict. President Santos was elected on a platform of so-called *Democratic Prosperity* which appeared initially to give broad continuity to President Uribe's war against the FARC-EP and his DSP, financed heavily by the US through Plan Colombia. However, almost immediately after being elected, Santos began to explore the possibility of negotiating with the guerrillas.

As stated above, under President Uribe, and with US assistance framed within Plan Colombia, the military offensive that was part of the DSP was sufficiently effective to impose a severe shock to the insurgency. It had led to a loss of military capacity, territory and political leverage for the FARC-EP, debilitated its communication networks and had an impact on the chain of command capability within the insurgency.

However, the FARC-EP was able to adapt rapidly to the military onslaught by returning to conventional guerrilla tactics and by taking advantage of the questionable legitimacy of the DSP (which involved massive human rights violations and links to paramilitary organisations). In some quarters, these violations gave traction and, in turn, legitimacy, to the FARC-EP's political discourse. Incidents involving IEDs and anti-personnel mines as well as small-scale attacks continued until 2011 as the FARC-EP sought to adapt to the military's successful strategy of bringing the war to their rural strongholds and decapitating its leadership. Yet despite its military losses and the state's important gains in territorial control throughout the country, the FARC-EP maintained territorial control of its traditional strongholds.²²

During the two terms in office of President Uribe, therefore, the FARC-EP had been weakened and was forced to come to terms with the fact that the military had achieved and retained technical superiority. However, the insurgency was not defeated: it maintained its organisational integrity as

¹⁹ Pecaat 2008; Brittain 2009; Leech 2011.

²⁰ Posada Carbó 2001, Pécaat 1999, and Deas 1997.

²¹ Deas 1997: 365.

²² Crisis Group 2012: 8.



well as its military capacity to wield damage upon the state, albeit to a far less threatening and widespread degree.

The government, in turn, was obliged to accept the fact that even with its military and technical superiority and the considerable military impact of the DSP, the FARC-EP had not been defeated. Consequently, while the DSP wrought a strong degree of pacification, victory was not imminent for either side. This hurting stalemate made a peace agreement increasingly attractive.

The election of President Santos to office took place against this backdrop and amidst deteriorating security conditions, exacerbated by ongoing military confrontations and a palpable generalised hostility to the idea of negotiations with the FARC-EP in the aftermath of the failed Caguan talks (1999-2002: see Annex I). Opposition to peace talks was aggravated by, and particularly manifest in, the opposition of Uribe and his newly established political party, the Democratic Centre, (DC) to peace talks.²³ Hostility to talks was further exacerbated by the general consensus in public opinion, albeit erroneous, that the FARC-EP had been cornered and was on the edge of imminent defeat.

The Santos government, in part, gave continuity to the DSP, executing strategic military operations aimed at pacification of the guerrillas. Consequently, key blows were rapidly dealt to the guerrillas – three EMC members, thirteen front commanders and five leaders of FARC-EP mobile columns were killed in the first two years of the administration – and the insurgency’s overall capacity to carry out large-scale actions was severely limited. Nevertheless, the guerrillas continued to control important strategic zones of the country, while simultaneously maintaining its capability to carry out small and medium-scale attacks at local level.²⁴ As had been the case with the DSP, the FARC-EP was yet again able to adapt to the military’s strategy.²⁵

Within this context, at the very beginning of the first Santos administration, the term ‘armed conflict’, which had been purged during the Uribe years in favour of a war on ‘narco-terrorists’, continued to be absent from official discourse.²⁶ According to Enrique Santos Calderon, the brother of President Santos who was appointed by the president as his personal emissary to the guerrillas in 2010 and to kick-start secret talks in 2012, the gradual ‘understanding by both sides that a total victory was neither possible, nor perhaps desirable, was what opened the door to the current cycle of dialogue with the guerrillas’.²⁷

Incentives to get to the Talks

In this context of hurting stalemate, President Santos was of the opinion, albeit in private, that it was urgent both to acknowledge the existence of the armed conflict, and, significantly, to search for a peace agreement to terminate it. Therefore, in his inauguration speech in August 2010 he made clear that his government would not be opposed to peace talks under the right conditions, a gesture that immediately distanced him from the former President and from Uribe’s not insignificant political following. ‘Uribismo’ has subsequently become one of the key spoilers since talks were formally made public in August 2012.

²³ Santos Calderon 2016: 17.

²⁴ Foundation Ideas for Peace 2011: 14.

²⁵ Negotiations amidst the conflict have brought a series of complex challenges, not least the pressure upon negotiating parties to remain at the table, and to justify effectively their presence to their outraged social and political constituencies, in the face of battle deaths. Whilst, without air power, the FARC-EP have principally been forced to adopt a defensive strategy, smaller-scale operations increased during first ten months of 2011 and have remained unabated in 2012. This rhythm has been exacerbated by the guerrilla’s capacity to employ IEDs and car bombs (Crisis Group 2012: 23; 2014).

²⁶ Santos Calderon 2016: 18.

²⁷ Ibid: 19; author’s translation.



Santos' preconditions to talks were undergirded, in part, by the basic tenets of international humanitarian law: cessation of guerrilla hostilities; cessation of attacks on military, civilian or economic targets; a cessation of kidnappings or extortion; and immediate cessation of the use of landmines or recruitment of minors. From the perspective of the FARC-EP, these conditions were, of course, tantamount to surrender or military defeat.²⁸

A key incentive pushing both parties towards negotiations, therefore, was the hurting stalemate. The FARC-EP had avoided battlefield defeat and organisational fragmentation,²⁹ yet had been unable to challenge effectively the integrity of the state. Similarly, even in spite of its military superiority and the damage inflicted on the guerrillas since 2002, the state had been unable to force the rebels into strategic submission.

At the same time, President Santos was an opportunistic and ambitious career politician who, over the course of his political career, was not timid in making clear his aspiration to go down in history as the president who brought peace to Colombia. Despite having played a key role in the Uribe military onslaught as Minister of Defence, on becoming president he quickly constructed an image of himself as a peacemaker operating against the odds, stating in 2012 that he would be happy to leave behind a legacy as the politician who 'betrayed his own class' to bring peace. His individual involvement as a president with clear commitment, political will and individual motivation, therefore, represented a central driving force behind the peace process.

Nevertheless, Santos also represented Colombia's oligarchy, hailing from one of the country's oldest and most established families. A strategic and liberal thinker in whom much of the modernising economic elite came to trust, a further central goal of the Santos peace initiative was to pacify the country in order to gain access to and guarantee international exploitation of the natural resources that, he argued, were at the centre of the so-called 'locomotive of the economy'.³⁰ Therefore the peace talks, at least from the perspective of the economic elite, were driven by a vision of economic modernisation, given that many of Colombia's natural resource reserves are located in remote zones, historically neglected by the state and, for decades, under guerrilla control.

Reports from leading think-tanks in Colombia, such as the Foundation Ideas for Peace, corroborated by international organisations including the World Bank, have stressed how Colombia's economy would likely increase as much as three percent in GDP once the conflict ended.³¹ In this regard, the Santos government made a strategic calculation that successfully concluded negotiations would fuel effective democratic prosperity. Progressive economic elites thus got behind the peace talks, finally coming to the realisation that peace might be more lucrative than conflict.

However, winning support for the peace process of what was a divided private sector, particularly given the vested interests of the economic elite and, in many cases, their links to paramilitary organisations, represented a severe challenge for President Santos and his government. The government capitalised upon Santos' own position as a member of the oligarchy in its efforts to incentivise private sector support, making explicit that the prevailing economic model was not open to negotiation. Astutely, President Santos immediately appointed Ambassador Luis Carlos Villegas as

²⁸ The guerrilla has, however, gradually come to adhere to the majority of these conditions as peace talks have progressed, albeit with the exception of the cessation of attacks on military targets.

²⁹ According to Crisis Group, three fundamental factors account for the FARC-EP's resilience: ongoing access to finance; the capacity to replenish its ranks; and a robust 'institutional structure and organisational culture' (2012: 11).

³⁰ Santos' economic model was pre-eminently neo-liberal, a fact that continues to generate tensions with the guerrillas and raise the question of whether peace is likely to be sustainable.

³¹ President Santos and his High Commissioner for Peace, Sergio Jaramillo, have indicated how peace could increase the country's growth rate and GDP by 3%. Francisco Rodríguez, an economist from the Bank of America, has supported these assertions, although proposed that peace could boost growth only by as little as 0.3%.



one of the negotiators in the government's initial team. Villegas had previously held a number of senior positions, including High Commissioner for the Economy, Ambassador to France, Deputy Secretary for International Affairs and, significantly, President of Colombia's National Association of Businessmen (ANDI). His appointment gave a seat at the negotiating table to, and direct representation of, the business sector, therefore adding further credence to the statement that the process would not unduly affect elite economic interests.

As a consequence of the government's able lobbying, industrial and commercial sectors gradually came to support the peace process, recognising the potential economic benefit of peace. In fact, the National Association of Colombian Businesses (ANDI) was regularly represented at the peace talks in Havana, while also closely advising the government, including around issues of reintegration and economic benefits for former combatants.

Potential spoilers to peace

However, the agricultural sector, in particular the cattle ranching elite, was a key spoiler throughout the peace process, given the enormous resources it controlled through land ownership and its links to the paramilitary project. In a context in which land distribution in Colombia is amongst the most unequal in the world (52 percent of farms are owned by 1.15 percent of landowners), the peace process was seen as a potential threat to their monopoly on this land. Only 22 percent of potential arable land is cultivated and approximately 6.5m hectares of land was illegally expropriated, abandoned or forcibly changed hands between 1985 and 2008 in the context of the conflict, in particular paramilitary actions.³²

The Colombian Federation of Cattle Ranchers (Fedegán) led by José Félix Lafaurie, championed this spoiling role, vehemently opposing any political deal with the guerrillas and stating that the government was 'handing over the countryside to the guerrillas'.³³ Fedegán's arguments were unfounded however: despite provisions supporting agrarian development, the peace accords do not actually make provision for land reform (see below). Regardless, the group, driven by both political/ideological and economic interests, closely allied itself to Uribe and his political followers. Moreover, cattle ranchers were intimately linked to the AUC, given that the former paid high sums of money to the paramilitaries to 'protect' their land. Both actors are likely to remain spoilers in any post-conflict scenario as a result.

Appointing a negotiating team

Anticipating potential spoiling action from other sectors, particularly the military, the government chose its negotiating team carefully. It included high-level negotiators from previous processes, such as Humberto de la Calle, the chief negotiator, and recognised military officials/government functionaries. The government, moreover, was clear from the beginning of the talks that it would not negotiate away the status of the security forces. There was much debate around the question of whether the military would be subject to amnesty for crimes perpetrated during the conflict and, if so, whether trials would take place in ordinary courts or military tribunals – a debate that has yet to be resolved. It is likely that a combination of amnesty and prosecutions will be employed, as has been consecrated in the Victims' Agreement (see below). The military has, nevertheless, been clear that it will not subject itself to prosecutions and sanctions, a position it shares with the guerrillas.

Two key members of the security forces were appointed as negotiators and their long-term presence in Havana has played a role in generating trust towards the peace talks, in particular from the military and, more generally, from Colombian society. General Oscar Naranjo is an internationally

³² PNUD 2012.

³³ See <http://www.semana.com/nacion/articulo/la-pelea-entre-fedegan-el-gobierno/456761-3>. Accessed 14 June, 2016.



acknowledged former director of the National Police who had seen combat action, as well as participated in operations against drug trafficking organisations. General Jorge Enrique Mora, now withdrawn from the negotiations, was head of the Armed Forces and a heavyweight figure in the Colombian military. He was well respected across ranks and social classes throughout the country. Both figures have been key in keeping potential spoilers on side, and in evidencing support of the security forces for the peace talks, particularly at sensitive moments, such as the kidnapping, albeit brief, of General Ruben Dario Alzate by the FARC-EP in November 2014.

Questioning the legitimacy of negotiating with the FARC-EP

A further challenge faced by the negotiating parties was to address the negative perception that Colombian society continues to have of the FARC-EP. In consistent opinion polls since 2015, more than 70 percent of respondents have stated that the FARC-EP are illegitimate actors who should enjoy or assume little role within politics or society. While the majority of those polled support peace talks, over 70 percent have consistently asserted that guerrilla leaders should go to prison for their crimes and should neither participate in politics nor form part of the reformed security forces. In a poll at the end of 2015, only half of respondents expressed the opinion that they would accept former combatants as neighbours or employees, or accept that their children study with those of former combatants. These perceptions represent a highly complex challenge for DDR.

Both parties to negotiation formulated initiatives to address the challenges facing the peace process and post-conflict reconstruction in this regard. The FARC-EP finally admitted to having commissioned grave human rights abuses in 2015 and followed this general acknowledgement in December 2015 with a formal apology to the community of Bojaya for the massacre perpetrated in the town. The government also sought to facilitate the transition of the guerrillas, providing it with security guarantees throughout the peace process and recognising its equal status as negotiating party. This approach was illustrated when President Santos met and shook hands with the FARC-EP leader, alias Timoleón Jiménez, in Havana in September 2015. The government also held related meetings with the ANDI on several occasions, and the High Commissioner for Peace, Sergio Jaramillio, called for the assistance of the private sector in the DDR process.

Finally, the regional context in Latin America played a key role in generating conditions to incentivise the FARC-EP's acceptance to sit at the negotiating table. The so-called Pink Tide in Latin America – the shift over the past fifteen years for left-wing political parties, significantly including former guerrillas (Nicaragua, El Salvador, Uruguay and Brazil), to assume office through democratic elections – and a public statement by Fidel Castro that the FARC-EP's armed conflict was an anachronism, were important indicators that conditions might be right to negotiate. In a context in which the regional Left had opted for democracy, it seemed reasonable for the FARC-EP finally to contemplate doing the same.

Recognising this shift, on assuming office President Santos quickly moved to re-establish relations with the left-wing administrations of Venezuela and Ecuador, relations damaged during the Uribe administrations. His gesture did not go unnoticed by the FARC-EP, and was seen as evidence of political will on the part of the Colombian government to reach a settlement. Subsequently, both countries became important allies in the search for peace in Colombia: Venezuela as an accompanying country to the peace process in Cuba (see below), and Ecuador as central to the peace talks with the ELN.

In the aftermath of the DSP, therefore, both parties gradually came to acknowledge clear incentives to negotiate. At the same time, President Santos and his team carefully crafted provisions in the



negotiations that would not appear to threaten the existence of the security forces, the armed forces, the government and the private sector.³⁴

Juridical Stabilisation Initiatives

Accompanying these political stabilisation interventions, the Santos government introduced key legislation that played a similar role. In May 2011, the Colombian Congress approved the Law for Victims and Land Restitution (Victims' Law/Law 1448). The legislation both acknowledged the existence of the armed conflict (a fundamental demand of the guerrillas and of civil society organisations), while giving legal weight and legitimacy to the demands of the more than seven million victims of Colombia's armed conflict. Law 1448 created a new institutional framework and established a series of procedures and mechanisms through which to guarantee victims' rights and give provisions for reparations.

This landmark legislation gave visibility to the issue of victims, a point of profound contention for the conflict parties: both had consistently denied their involvement in having caused civilian victims. Law 1448, moreover, consecrated the existence of a so-called 'universe of victims', thus acknowledging a series of victimisations/crimes including forced disappearance, recruitment of minors, and sexual violence.

Therefore, to a certain extent Law 1448 consolidated the instruments to which victims would have access, whilst opening new administrative pathways and political space for them. It also acknowledged and prioritised victims of sexual violence as central to the reparations package. By tackling head on the issue of victims and land restitution (an integral part of the Law), *although not land reform itself*, the government sought to take political space away from the FARC-EP, land distribution having represented one of the guerrilla's fundamental platforms since its creation in 1964. At a time when initial confidential contacts were being made with the guerrillas, the Law evidenced the government's political will to address issues of fundamental concern to the guerrillas and civil society, arguably demonstrating the government's seriousness in moving towards a negotiated settlement.

Reaching Talks: Relevant Actors

In this context, secret exploratory contact was made and sustained between August and September of 2010 between the parties to the conflict. Both parties expressed their willingness to negotiate, without addressing the contentious issue of who had been victorious and who had been vanquished.³⁵ At the beginning of 2011, the first secret meetings took place between the Colombian government and the FARC-EP on the Venezuelan border, with the direct collaboration and support of the late President Hugo Chavez, considered a friend by the guerrillas. It is likely, although not confirmed, that President Chavez assumed a role in creating and employing back channels with the FARC-EP, facilitating discussion of the logistics of the secret meetings.

The meetings led to the agreement over who would be the guarantor countries for the peace process (Cuba and Norway), as well as agreeing a series of logistical issues, including the support of the International Committee of the Red Cross (ICRC). At the beginning of 2011, the parties also agreed to hold their first formal secret meeting between the opposing delegations in Havana, which would subsequently become the permanent location for the peace talks. Favoured by the government, and sanctioned by the guerrillas, the decision to hold talks in Cuba represented a further step towards securing the possibility of a peace agreement. The island afforded security, confidentiality, isolation

³⁴ Crisis Group 2012: i.

³⁵ Santos Calderon 2016: 22.



and a host that was serious, politically agile and partially sympathetic to and trusted by the FARC-EP.³⁶ This decision was central to the ongoing success of the peace talks.

Regional support

A series of key actors supported the emerging peace initiative. At the regional level in Latin America, all states expressed immediate sympathy and support for the peace talks. Moreover, the Community of Latin American and Caribbean States (CELAC), a highly reputable regional organisation, consistently provided political, and, where necessary, logistical support for the initiative, as did the UN and the Organisation of American States. With the exception of a moment of crisis in 2015, when high levels of tension were experienced at the Colombo-Venezuelan boarder, Venezuela (under President Chavez and now President Maduro) was a stalwart supporter of the talks.

After President Santos initially presented an olive branch to his Venezuelan counterpart in 2010 – after eight years of clashes between Chavez and Uribe – both countries developed mutually respectful and supportive international relations. For the FARC-EP, the involvement of Venezuela as an accompanying country, and the informal initiatives that Chavez supported, played a central role in generating trust in the peace talks. Not only was this a result of the ideological affinity between both the guerrillas and the Venezuelan government, but the insurgency had encampments in the country, which were given a degree of assured protection as a result of Venezuela’s involvement.

A change in foreign relations between Colombia and Ecuador was also central to the Santos peace strategy. In 2008, under Uribe, the Colombian Air Force bombed a guerrilla encampment in Ecuador and killed, among others, Raul Reyes, the guerrilla’s second in command and a member of the guerrillas’ secretariat. Consequently, the shift in relations between both countries resulting from President Santos’ holding an olive branch out to Ecuadorian President Rafael Correa was key in convincing the guerrillas of Santos’ goodwill. President Correa was vocal in his support of the talks carried out by his counterpart.

Therefore, the unconditional support for the peace process of two countries sympathetic to the FARC-EP’s ideological position, both of which share a boarder with Colombia, and of the host of the talks, Cuba (as well as all other Latin American countries), cannot be underestimated.

The minimal role of non-state actors

What was less evident during the Santos-FARC-EP peace talks was the role of non-state actors in Track Two or Track Three Diplomacy. Under Uribe, there was a strict prohibition against contact between civil society organisations and the guerrillas. Similarly, in 2012 President Santos established a clear directive preventing non-state actors from assuming any role in the peace talks: Santos constantly stated that all contact was to be levied by the government alone. Nevertheless, one organisation, *Colombianos and Colombianas for Peace*, led by former congresswoman Pedad Cordoba, sought to play a back-channel role in the process through the close contacts the organisation had with the FARC-EP. While this likely played a role in communicating civil society demands to the guerrillas, its impact on the talks themselves was largely inconsequential.

A primarily Colombian process

Once the process gained momentum, and in particular by 2015, politicians from diverse parties and congressional commissions, including the Peace Commission, and members of civil society organisations visited Havana in their official capacity and under the auspices of the government delegation. The aim of the visits was to inform broader political and civil society about the process and to seek wide support from these actors. Although the visits assisted in generating congressional

³⁶ Santos Calderon 2016: *ibid.*



support for the peace process, they were also highly polemical, with Uribe claiming that the trips were unethical and unconstitutional. Despite these initiatives, strictly speaking no back-channel initiatives were permitted, and all contact was carried out under the government's auspices.

The negotiating parties similarly limited the role of international actors, including the UN System in Colombia. These restrictions likely represented lessons learned from the Caguan talks, when the UN was accused of having overstepped its mandate resulting in the UN Special Advisor on Colombia, James Lemoyne, being asked to leave the country.

Instead, much has been made of the fact that the peace talks were 'carried out by Colombians to resolve a Colombian conflict', as Santos has often stated. Only in 2014, two years in, did the negotiating parties recommend a formal role for the UN, requesting its support in organising the civil society forums and victims' delegations (see below). This role was further elaborated in 2016 when, at the Colombian government's request, the UN General Assembly approved unanimously a Special Political Mission to oversee the implementation of the peace accords. Keeping the Colombian talks Colombian likely strengthened the possibilities for ownership over the process.

Sub-national involvement

Over the last decade, actors at the sub-national level in Colombia have carried out a highly diverse set of locally based initiatives throughout the country with varying degrees of success. Civil society organisations, local mayors, government officials and so-called peace communities have sought to build peace in the midst of the conflict. The initiatives have been emphatically bottom-up processes seeking to empower citizens to construct and enact visions of state, society and government that respond directly to needs, priorities and cultural values at a local level.

In general, initiatives have sought to transform the local and regional conditions framing conflict, by seeking to transform its economic, political, social and cultural causes and consequences. With a degree of success, Peace Communities, such as the community of San Jose Apartado, have sought to assert autonomy from armed actors and maintain local livelihoods in highly violent, adverse conditions. Other initiatives at the local level have sought to enhance development and create alternative incomes from agriculture. The indigenous Cabildo of Nariño, southeastern Colombia, for example, was able to win back land titles and reform its traditional territory after it had been occupied by the military.

However, sub-national peacebuilding initiatives faced a series of fundamental challenges. Firstly, despite evidence from certain scholarship that communities have been able to promote security through nonviolent strategies and managing relations with armed actors, the capacity of such initiatives to wield impact upon the behaviour of armed actors was limited.³⁷ Secondly, sub-national initiatives have also been incapable of overriding national political imperatives: the numerous mobilisations at local level during the Uribe years did nothing to push the government towards negotiations.³⁸ Thirdly, sub-national initiatives, while providing localised economic alternatives for communities, were unable to redress structural root causes of conflict. Finally, despite the establishment of diverse coalitions of civil society organisations since the 1990s, for example the National Civil Society Assembly, it has been extremely difficult to galvanise and unify diverse mobilisations and thus capitalise on their overall capacity and impact. Consequently, as important as it has been, impact has tended to remain highly localised.³⁹

³⁷ Brett 2014. In addition, Kaplan (2013), for example, evidences the case of the Peasant Worker Association of the Carare River, where peasants allegedly have been able to negotiate effectively with armed actors.

³⁸ Brett 2014.

³⁹ Ibid.



While it is likely that the overall clamour for peace that emerged during decades of local level mobilisations asserted a degree of pressure upon the conflict parties and international actors, there is no evident direct relationship between local initiatives and the decision by the parties to negotiate. In this regard, mobilisations have taken place independently of formal peace talks and national level political dialogue, neither replacing them nor replicating their logic. Consequently, and above all, mobilisations have not tended to involve direct interlocution with illegal armed actors, but rather have sought incremental changes in the political, economic and social spheres.

The Talks and the Peace Agenda

The first formal (but still secret) meeting between the delegations took place in February 2012. Six months of confidential meetings and confidence-building exercises followed, until President Santos made public the negotiations at the end of August.

The talks were framed through the General Accord for the Termination of the Conflict and the Construction of a Stable and Lasting Peace (General Agreement), signed between the negotiating parties on 26 August 2012. Of strategic importance to the talks was the identification of a limited agenda, based upon the negotiation of five specific issues: agrarian issues; political participation; illicit drugs; victims' rights; and an end to the conflict.⁴⁰

The objective of the talks from the government's perspective, and the foundational premise of the agreements, was to end the conflict rather than engage in debate about its causes and consequences, as had been the case in the Caguan talks. As previously stated, the government had similarly insisted upon the caveat of not negotiating the predominant economic and political model of the Colombian state, nor the status of the armed forces. Moreover, the government insisted upon negotiating at the same time as carrying out military actions, with no bilateral ceasefire to be agreed until negotiations came to a successful end. A final caveat was that *nothing is agreed upon until everything is agreed upon*.

The strategy of negotiating amidst armed conflict appears to have worked. Between 2012 and 2016, over 40 rounds of negotiations took place, beginning with a week in Oslo in October 2012, and then continuing in Havana. All agreements were finally signed by September 2016. While discussions were protracted and set the conflict parties head to head, there were no major points of rupture in, or derailment of, the peace talks as a consequence of the content of the agreements. Where there were significant points of tension, these revolved around acts of violence that occurred during the discussions (an inevitability given negotiations took place with no bilateral ceasefire in place).

However, a major setback came at the beginning of October 2016, less than a week after the ceremony in which President Santos and the guerrilla leader Rodrigo Londono (alias Timochenko), signed the final peace deal in the presence of then UN secretary general, Ban Ki-moon, then US secretary of state, John Kerry, and a dozen Latin American leaders. On 2 October, Colombians rejected the peace agreement in a plebiscite to ratify the peace deal called by President Santos. The "no" vote edged out the "yes" vote 50.2 percent to 49.8 percent. Voter turnout, moreover, was low at only 37 percent. The referendum evidenced how Colombia remained divided with regards to the conditions upon which peace might be achieved and, in particular, the conditions under which the guerrillas would be demobilised. Many of those who voted "no" did so in opposition to what they felt was an agreement that was too lenient on the insurgents, in terms of reduced sentences for their confessing to past crimes. The "No" campaign, led by former President Uribe and his political supporters, also played on the fact that the government had made explicit a plan to pay demobilised

⁴⁰ Draft agreements were signed: Agrarian issues (May 2013); political participation (November 2013); illicit drugs (May 2014); victims' rights (December 2015); and an end to the conflict (pending).



FARC rebels a monthly stipend and to offer those wanting to start a business financial help – conditions that are usual in DDR processes. However, "no" voters protested that such conditions were tantamount to rewarding criminal behaviour.

Furthermore, after five decades of war for which many Colombians hold the guerrillas responsible, the "No" campaign alleged that the insurgents would not keep their promise to lay down arms. At the same time, the broad and deeply conservative "No" campaign also alleged that there was a "gender ideology" at the heart of the agreement, thereby garnering the "religious" vote. Finally, in many senses the plebiscite was affected by a demographic divide, demonstrating a regional divide in which most of the outlying provinces in the country voted in favour of the agreement and those nearer the capital – with the exception of the capital itself – and inland voted against it.

However, ultimately the plebiscite was only a temporary setback. Intense high-level political dialogue followed and a new agreement between the government and the FARC-EP was ratified by Congress at the end of November 2016.

A second, and as yet unresolved, setback occurred on 17 May 2017, when the Colombian Constitutional Court rejected key aspects of the so-called "fast track" system with a 5 to 3 vote against. The Court's magistrates removed crucial elements of the system that had sought to allow swift passage of related laws to enact the commitments from the November 2016 Peace Accords. While the decision itself does not undo the related laws that have already been passed, including the amnesty for ex-guerrillas not accused of war crimes, it likely signifies that the passage of peace-related legislation will be delayed at best, and changed beyond recognition or even killed off at worst. Significantly, however, and as previously stated, in spite of the setback with the "fast track" system, in June 2017 the FARC-EP formally ended its existence as an armed group after a campaign lasting half a century.

Agenda Points

The following section outlines the various aspects to the Agenda Points of all the agreements. In general, the provisions within the peace accords adopted a progressive approach to dealing with the consequences of the armed conflict and, to a degree, address some of the causes of the violence, such as political exclusion of the left and illicit drug cultivation and production. However, while they engage seriously with rural development, the approach to land distribution, one of the principal causes of the conflict, only partially addresses this issue: substantial land reform remains absent.

First Agenda Point: Toward a New Colombian Countryside: Comprehensive Rural Reform (26 May 2013): The agreement on land and rural development represented the first time that the government and the FARC-EP had agreed upon a substantive topic in over 30 years, and was significant given that land has been a highly contentious issue, representing one of the root causes of the conflict. The agreement focuses on strengthening small producers, facilitating access to land/distribution, poverty alleviation, developing stimuli to agricultural and livestock production and the reactivation of the rural economy. It aims to generate development, precipitate democratic structural transformation and increase living standards, in particular of vulnerable minority groups (indigenous/Afro-Colombians/women/peasants). The agreement commits the parties to resettle displaced populations and to secure land rights.

A central focus is sustainable development. In this regard, it states that a land fund will be established to allow distribution to those most affected by the conflict and those without or with insufficient land – although, to date, neither the amount of land nor the length of the programme has been decided upon. Other mechanisms include subsidies and special subsidised loans and a commitment to build infrastructure (roads, irrigation, electricity, internet access) and generate social



development (health, education, housing, access to clean water, food security). A focus is put on women and the displaced for whom full restitution is to be assured.

The signing of the agreement represents a significant achievement, given that rural/agrarian issues represented a primary focus of the FARC-EP's platform since its creation. Furthermore, territorial control represented a major objective of paramilitary groups who consolidated massive landholdings with the use of violence and forced expropriation. Rural development, moreover, remains one of the principal driving forces behind conflict and violence, particularly in peripheral and border areas. In this context, demobilised paramilitaries and "Bandas Criminales", or Criminal Bands (BACRIM), have emerged as central spoilers of the peace process, forming the so-called Anti-Land Restitution Army during the talks.

In tackling one of the main drivers of the conflict – namely land ownership and the resulting economic and social inequality – the approach adopted by the parties to conflict has been summarised by the concept of 'territorial peacebuilding', which includes (i) a focus upon sub-national zones as social, economic, and political entities; (ii) the objective of closing the gaps between rural and urban areas; and (iii) bottom-up development planning.

While at first glance the agreement certainly addresses many of the root problems, it lacks detail with regards to financial planning and eventual implementation, and is hugely ambitious. The draft shows that, as yet, the parties have not agreed upon the specificities of land redistribution or how to finance agricultural investments in the event of a final peace settlement.

Second Agenda Point: Political Participation: Democratic Openness to Build Peace (6 November 2013): This agreement focuses on (i) security guarantees for those who exercise peaceful political opposition (crucial in order to prevent the repetition of the decimation of the Unión Patriótica party in the 1980s); (ii) measures to strengthen citizen participation and accountability of politicians; and (iii) reforms to ease the formation and participation of new political movements and parties. Above all, the agreement seeks to guarantee political participation and inclusion, in short permitting the FARC-EP to transform into a political party. Most importantly, those most vulnerable groups affected by the conflict are to receive special representation, namely a guaranteed number of political representatives for a fixed period of time (Special Territorial Circumscription).

At the same time, the agreement seeks to guarantee the political participation of minority groups, women and those living in zones long neglected by the state, through promoting electoral participation and transparency and a democratic and participatory political culture. The agreement is vital for the FARC-EP since it effectively recognises the group as a political actor.

Third Agenda Point: End to the Conflict (24 June 2016): This agreement develops the mechanisms and processes required for the formalisation of the DDR process, as well as the monitoring and verification (MM&V) of the process. MM&V will be a tripartite mechanism, between the government, UN and the FARC-EP. The international component of MM&V will verify the laying down of arms within the terms of, and with the proper guarantees set forth in, the agreement. MM&V is based upon the principles of impartiality, transparency and trust, and is constituted as a system of 'reinforced guarantees', including through the rule of law across the country.

At the same time, the agreement established the procedure for the movement of the FARC-EP units to the so-called Transitional Local Zones for Normalisation and the Transitional Local Points for Normalisation, where the DDR process would take place during a period of 180 days. The agreement stipulates the measures to ensure that the necessary security conditions are present and effective during the process, including safety protocols for the transportation, handling, storage and control of



the weaponry, ammunitions and explosives of the FARC–EP. The agreement also establishes full guarantees for the UN to receive the weapons and ammunition of the FARC–EP.

At the same time, this agreement also set out the framework for the reincorporation of the FARC–EP into civilian life. The process is committed to establishing a ‘comprehensive, sustainable, exceptional and transitory process’ that takes into account the interests of the community, and of the FARC–EP, its members and their families. Significantly, moreover, the process is supposed to be shaped by the principles of ‘strengthening the social fabric across the country, promoting coexistence and reconciliation, strengthening local democracy and the recognition of the individual freedoms and free exercise of individual rights of those that are demobilising’. This agreement also incorporates an equity-based approach and a gendered perspective.

The agreement also commits the parties to securing the transition of the FARC–EP into legal political life, including recognition of legal status, and a guaranteed annual allowance for operational expenses for said process.

Furthermore, it establishes the principles for the economic and social reincorporation of former guerrilla members. Minors who have left the FARC–EP are to be subject to measures of ‘special care and protection’, which recognise these individuals as victims. Moreover, ex-combatants will also be able to benefit from prospective socially-productive programmes and projects, a one-off financial support package to start an individual or collective socially-productive project, and a conditional monthly basic wage (equivalent to 90 percent of the minimum salary in force for 2 years). Former guerrillas will also be able to access the social security system (from healthcare and pensions), and have access to education, housing, culture, sports and recreation, psycho-social care and family reunification plans and programmes.

Finally, it includes special measures oriented towards the combatting of criminal organisations and measures to prevent corruption. Overall, therefore, the agreement is progressive, and frames the DDR process within existing international standards.

Fourth Agenda Point: Solution to the Illicit Drug Problem (16 May 2014): This agreement focuses upon three points: (i) crop substitution; (ii) the prevention of drug consumption and public health; and (iii) identification and implementation of solutions to the phenomenon of illicit drugs.

Significantly, the agreement highlights and acknowledges the link between drug trafficking/production and poverty, marginalisation, statelessness, and organised crime. The agreement proposes that peace will depend upon finding a durable solution to the root causes of conflict and violence. In this regard, the agreement commits the parties to improving conditions for affected communities, with a substantial focus upon human rights, public health and equal rights for women. As with the Agrarian Agreement, the accord establishes mechanisms aimed at alleviating poverty, and promoting voluntary crop substitution, generating economic alternatives for those affected, generating sustainable development, and guaranteeing food security.

Fifth Agenda Point: Victims (12 December 2015): The agreement establishes the Integral System for Truth, Justice, Reparation and Non-Repetition, based upon international standards relative to victims’ rights. The system establishes three interrelated entities: a truth commission, a special body for investigating cases of forced disappearance and a Special Jurisdiction for Peace. The agreement is framed through a series of central principles, including the recognition of victims, admission of responsibility, satisfaction of victims’ rights, victim participation, clarification of truth and reparations, security guarantees for victims, non-repetition, and a focus upon a framework of universal, indivisible and independent human rights.



An independent and impartial truth commission will be set up in the aftermath of the peace deal, although no date has yet been set, with the objective of truth finding, victim recognition and reconciliation. Significantly, the government and FARC-EP have pledged to acknowledge responsibility before the commission. The commission will enjoy a broad mandate over three years, with an initial preparation period of six months. Commissioners will be elected through a special committee and may not include more than three non-Colombian nationals.

The Special Jurisdiction for Peace will consist of a Chamber of Justice and a Tribunal for Peace. The former will seek to end impunity, obtain the truth, contribute to the reparation of victims, prosecute perpetrators and impose convictions upon those responsible for grave crimes committed during the conflict. Amnesties are to be provided to the largest extent possible for political crimes and, it appears, some drug-related crimes. Amnesties are not to be granted for crimes against humanity or war crimes as in accordance with the Rome Statute and International Human Rights and Humanitarian Law. A Peace Tribunal will grant different sentences depending on cooperation of perpetrators.

The Peace Tribunal is mandated to investigate independently from the Truth Commission and will consist of several chambers: one for investigation of individual demobilised rank and file FARC-EP guerrillas; one to rule on whether guerrillas can be pardoned or must be prosecuted; an investigative unit; and a unit that will sentence those found guilty of war crimes. Punishments/sanctions are to satisfy the rights of the victims and international standards and contribute to the construction of enduring peace.

While the agreement is vague in its language and in detail on the timing and mechanisms that are to be established, it represents a major breakthrough with regards to addressing a long history of impunity, and represents a balanced and wise approach. In particular, the agreement incorporates key demands of victims' organisations, and responds to today's heavier expectations around issues of transitional justice. Most notably, the FARC-EP has gone further than ever before in accepting the requirement that those most responsible for serious crimes must face restrictions on their liberty of up to eight years (punishment).

While the agreements represent a significant advance, by avoiding tackling economic or political grievances head on they make it unlikely that the peace process will generate the minimal conditions to prevent the reoccurrence of conflict in the future. In other words, the causes are not being negotiated and the exclusionary economic model that drove conflict in the first place is not being adequately reformed.⁴¹ Nevertheless, by limiting the negotiations in this way, the talks were kept on track and the impact of potential spoilers was restricted.

Political Stabilisation Initiatives during Santos' Second Administration

As with his predecessor, President Santos was re-elected in a second round of elections on 15 June 2014 for a final four-year term, in a close-run competition between Santos and former President Uribe's candidate, Oscar Zuluaga. The candidates' platforms were essentially at loggerheads over whether or not to negotiate with the guerrillas and, if so, under what conditions. The peace talks were the focus of severe criticism during the election, and arguably were destabilised as a consequence.

⁴¹ Many analysts agree that the agrarian accord, one of the first agreements to be signed, will do little to precipitate meaningful economic transformation or social development, given that its provisions exclude any reference to land reform and do not challenge the country's extractive neo-liberal model. On the contrary, the accord proposes measures that, to differing extents, allegedly already exist in the country, including the provision of unused land and establishment of a land registry.



The re-election of Santos gave continuity to the peace talks and, despite the fine margin between the candidates, afforded the incumbent the legitimacy to follow through with his programme. With Santos' re-election, the talks moved forward such that the parties came to develop a deep mutual trust. Significantly, unilaterally implemented de-escalation initiatives by both sides increasingly contributed to violence reduction and stabilisation during the peace process and prior to the political deal. In January 2013, the FARC-EP declared a unilateral ceasefire; in February 2015, the guerrillas declared an end to recruitment of minors; and in July 2015 the government responded to the FARC-EP bilateral ceasefire with a de-escalation agreement, including an end to its decisive bombing campaigns.

The FARC-EP's unilateral ceasefire initially represented the most significant de-escalation initiative, and provided tangible evidence to the government and Colombian society more generally that its intention to negotiate was real and it was prepared to call a halt to its military operations. Following this up with an end to the forced recruitment of minors was fundamental, evidencing the gradual assumption by the guerrillas of its binding commitments to international humanitarian law. Such measures also took ground away from detractors to the peace process and won the support of victims' organisations.

However, there were numerous problems associated with negotiating without a unilateral ceasefire. When episodes of violence, in particular guerrilla-sponsored violence, *did* occur during the peace process, such as the killing of eleven soldiers in Cauca in April 2015, there was acute governmental and societal repudiation of such acts. Immediately following the April 2015 action, the government, albeit temporarily, lifted the suspension of its bombing campaigns. Nevertheless, the FARC-EP's unilateral ceasefire represented a key initiative contributing towards the progress of talks.

As a result of these initiatives, and despite a temporary escalation in armed-conflict related violence between May and June 2015, after July 2015 and at the time of writing, armed-conflict related violence is at an historical low, reaching 24.5 homicides per 100,000 inhabitants in June 2016.

Perhaps a final decisive stabilisation initiative was announced a week before the second round of elections in 2014, when the negotiating parties published a joint press communiqué that arguably changed the face of the peace process. The initiative established a set of pillars to support what the parties hoped would be an inclusive peace agreement.

On 7 June 2014, the negotiating parties published Joint Statement (No. 37), the *Declaration of Principles for the Discussion of Agenda Item 5: Victims*. Building on the recognition afforded to human rights and the rights of victims as central to the peace talks (as had been consecrated in the General Agreement), the communiqué established ten principles through which to frame the discussion of Item 5 (Victims), and to incorporate the recognition and guarantee of the rights of victims as central to the peace talks.

The parties agreed to table a series of mechanisms and procedures, which would subsequently represent the backbone of the discussion around the issue of victims and, from the perspective of the negotiating parties, create the basic conditions for an enduring peace. Firstly, the joint statement established a *Historical Commission of the Conflict and its Victims*, constituted by national and international experts. The commission would not represent a formal truth commission (which would come later), but would seek to develop a set of guidelines related to the historical causes and the impact of the conflict from diverse perspectives. Secondly, the parties requested that the UN in Colombia and the National University of Colombia (NUC) organise a series of public forums around the Victims Agreement in diverse, and in some cases, conflict-affected zones of the country (Villavicencio, Barrancabermeja, Barranquilla and Cali) during 2014. Finally, the communiqué proposed the formal inclusion of victims of the armed conflict into the peace talks in Havana.



Of significant importance in the communiqué was that the parties solicited the support of the UN, the NUC and the Episcopal Conference of the Catholic Church in organising five delegations of twelve persons each (sixty people in total), who would travel to Havana and present their individual testimonies to the negotiating parties. The objective of the delegations was 'to present proposals and expectations about building peace in Colombia's territories and concerning the satisfaction of the rights of victims (to truth, justice, reparation), including guarantees of non-repetition'.⁴²

The Victims' Forums that took place in 2014 were mandated to receive and document the proposals of victims' organisations in particular, and civil society more generally, as regards the fifth theme of the agenda of the peace talks (Victims). Once gathered, the proposals were to be transmitted to the negotiating parties in Havana. In July 2014, as proposed, three forums took place in Villavicencio, Barrancabermeja and Barranquilla. A final forum took place in Cali, southern Colombia, during the first week of August. The forum in Cali aimed to ensure the participation of victims from across Colombia, including representatives from each of the country's departments. Each sub-national meeting brought together more than 400 participants, whilst the national process included over 1200 individuals. The meetings incorporated representatives from all social sectors, and sought to include both victims of all armed groups and those of a diverse range of violations, guaranteeing their direct participation and that of local organisations of victims. The organising institutions, moreover, assumed a gender focus, ultimately guaranteeing that over half of the participants were women.

Significantly, the forums represented the first time during the peace talks that victims were able to participate publicly and collectively as a sector in the peace process, albeit indirectly, after years of local and national level mobilisations that had demanded, amongst other things, inclusion within the formal political sphere. Moreover, the decision to carry out the forums evidenced the political will of the negotiating parties some two years after the beginning of the peace process, to acknowledge that victims and their organisations enjoyed the legitimacy and possessed the capacity to make a definitive contribution to the content of the peace agreements. The forums raised the visibility and profile of the process and emphasised the voice of a diverse range of victims of the country's armed conflict, including violations carried out by all armed actors. In this respect, and significantly, the process of organising and carrying out the forums and transmitting victims' demands to the negotiating parties, made the parties more resolute in their previously made commitment to incorporate the victims' delegations into the peace talks. As the forums were carried out, so the preparations were made for the delegations to travel to Cuba.

In the aftermath of the forums, the victims' delegations visited Havana during the second half of 2014 with the political, financial and moral support of the international community, in particular the UN, the guarantors of the talks (Cuba and Norway), the accompanying nations (Chile and Venezuela) and bilateral donors. The general impact of the delegations was to bring the human face of suffering to a negotiating table that had, for good reason, been steeped in secrecy. Both armed actors had previously and vociferously denied their role in causing suffering during the conflict. However, by the time the delegations had drawn to a close, both the FARC-EP and the state had publicly shifted their position and acknowledged their role in contributing to the considerable number of victims of Colombia's armed conflict. Furthermore, the proposals that the victims' delegation fielded to the negotiating parties directly shaped the Victims'/Transitional Justice Agreement, eventually signed in December 2015.

The mass participation of victims through the forum and the, albeit overly limited, inclusion of the delegations established key provisions for an inclusive peace agreement, while at the same time

⁴² Joint Communiqué Number 37.



embedding the peace talks into the broader national imagination and public agenda. In this regard, the provisions for victim inclusion played a key role as a stabilisation intervention.

Conclusion

This case study has outlined a series of key interventions that took place in Colombia (2002-2016) prior to the conclusion of the peace agreement between the Santos government and the FARC-EP in 2016. It has identified a set of mutually reinforcing and sequenced interventions supported by internal and external actors that, over a period of four years, have contributed to the reduction of political violence and to facilitate the conditions for an ongoing peace process.

Given that Colombia's armed conflict is characterised by a mosaic of sub-nationally driven conflicts and diverse and mutually reinforcing patterns of political and criminal violence, the impact has not, as yet, been uniform, and, disconcertingly, the interventions analysed here have had little impact upon *criminal* violence. It is hoped that if and when a peace agreement is eventually reached, it may indeed wield an impact upon criminal violence, particularly given that the FARC-EP remains a key actor in the illicit drugs economy.

While the interventions documented here span two different presidential administrations (both constituted by two successive political mandates), and are thus characterised through continuities and ruptures, there is indeed an overall pattern that may be identified.

Under President Alvaro Uribe, military pacification and security interventions framed within the DSP weakened the FARC-EP, subjected it to technical and military superiority and pushed the insurgency back to the peripheral zones of Colombia. At the same time, the guerrillas became isolated from their social base and incapable of wielding large-scale strategic violence and force. Under Uribe, a degree of state consolidation was established. However, massive human rights violations and abuses were carried out by the Colombian state and paramilitaries respectively, an unacceptable price to pay for the strategic, and albeit partial, advantage that the state gained over the guerrillas.

Under President Santos, the military maintained its technical and military superiority, although in 2010 the guerrillas began to adapt to military conditions and wield incipient gains once more by implementing a conventional insurgent strategy. The failure of the Colombian state to tackle drug production and trafficking effectively played a major role in permitting the guerrillas to continue their armed struggle.

In a context of hurting stalemate, the Santos administration formulated political and legal interventions that led to sustained peace talks and the dramatic reduction in violence related to the armed conflict. Indices of conflict-related violence have thus reached their lowest levels since 1974, but criminal violence (organised and common) remains unabated, whilst the killings of and threats against human rights defenders and land activists have increased over the past four years. However, whilst the peace talks with the FARC-EP have been completed, talks with the ELN – another clear and important consequence of the FARC-EP process – are not yet perhaps mature or stable. The ELN remains a central actor in Colombia's armed conflict, and may provide an organisational structure for disgruntled FARC-EP combatants who are not willing to demobilise. The ELN, whose social base remains particularly strong and loyal, have likely perceived their place in history as contingent upon their outliving the FARC-EP. A peace agreement that spans all armed groups in Colombia, therefore, remains, as yet, elusive, although the ELN ceasefire announced for October 2017 looks promising.

Negotiating while maintaining military operations was an apparently successful strategy, keeping military pressure on the guerrillas not to leave the negotiations. As the talks moved forward, a series



of key de-escalation programmes undertaken by both sides increased trust and made the end of the process a reality.

Carrying out talks in Havana was a further important decision, as was the marshalling of support from friendly guarantors (Cuba and Norway) and accompanier countries (Chile and Venezuela), countries that were held in high esteem by the guerrillas. The astute development of close ties with Venezuela and Ecuador during the Santos administrations also substantially helped to push the parties to conflict towards a measurable and unprecedented reduction in violence, keeping the peace process on track.

The inclusion of key individuals in the delegations of both negotiating teams (representing critical constituencies) also pushed the talks forward. On the part of the government, trusted high-level members of the security forces, representatives of the private sector and skilled negotiators gave strength and gravitas to the delegation. The inclusion in the FARC-EP's delegation of members of its secretariat and major front commanders helped maintain organisational unity and cross-organisational support for the negotiations, while avoiding, to date, further significant geographical fragmentation.

The limited agenda maintained a focus for the talks. The caveat that there would be no engagement with the broader economic and political model represented both the agenda's strongest and weakest point – its Achilles' heel. In the short term, this decision brought potential detractors on side while limiting the long-term impact of major spoiling actors. In the long-term, however, by *not* engaging in any significant way with the causes of the conflict, the country is at risk of returning to conflict.

Nevertheless, the peace talks produced a series of unprecedented agreements, including an agrarian agreement and a related illicit drug agreement; an unprecedented accord on political participation; a model of victim participation; and a highly innovative agreement on transitional justice and victims. By including civil society (indirectly) and victims (directly), Colombia's peace process has been politically inclusive.

However, Colombia's pressured, unstable and violent context will only be transformed if a meaningful DDR process can be achieved, in which the security of ex-combatants is guaranteed and, significantly, if the criminal aspect driving violence and insecurity is addressed. Ex-combatants must benefit from an effective reintegration process driven by relevant training and job opportunities to prevent their returning to violence and crime, in particular to DTOs.

Furthermore, illicit drugs represent a transnational issue, with demand and supply driven across international borders and by transnational organisations. Without serious engagement with the issue of decriminalisation, as is currently being proposed by Latin American presidents including President Santos, a peaceful post-conflict scenario will remain elusive at worst, and unsustainable at best. Former combatants are likely to consider the possibility of transferring to criminal/drug organisations, as they have done in the past. Ultimately, the capacity of nationally shaped peace agreements will be limited when the issues at stake and the drivers of violence stretch beyond national borders.



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Annex I

Military Pacification during President Alvaro Uribe (2002-2006; 2006-2010) (Democratic Security)

The 1990s brought a series of successful peace initiatives in Colombia, including the DDR process of the guerrilla faction the M-19 and other guerrilla groups, between 1990 and 1991. Within this context, by the end of the decade the increasing military capacity and impact of the FARC-EP, and its effective territorial expansion, combined with other factors such as the pressure levied by civil society and the international community for peace negotiations, pushed the government of President Andrés Pastrana (1998-2002) to the negotiating table. However, the peace process (1999-2002) failed.

The talks, or *Caguan* process as it came to be known, were carried out in the traditional guerrilla stronghold of the same name, and the guerrillas were afforded an extensive demilitarised zone where they would not be subject to military interventions. Operatively, the negotiating agenda was extremely broad, including issues of land reform, structural transformation, the economic model, and so on.⁴³ At the same time, civil society was afforded a strategic role in the talks, specifically a mandate to carry out hundreds of hearings with the negotiating parties, making the process more representative but also more protracted and complex.

Neither the FARC-EP, nor the Colombian government and state, and in particular the military, were deeply committed to a peace agreement. The guerrillas came to the talks in a militarily and politically robust position, bolstered by the impact of its politico-military strategy that had brought territorial expansion and, increasingly, key victories against the military and state. The executive, while demonstrating evident political will, did not enjoy widespread political support, particularly from within the ranks of the military itself. Consequently, both parties were hesitant on major commitments, reluctant to compromise their political and ideological positions and, ultimately, reticent to relinquish their perceived military superiority. Under these conditions, the peace talks languished ineffectively and collapsed in July 2002, when the FARC-EP carried out an armed offensive, to which the government immediately responded by bombing guerrilla enclaves with the support of the US.

Significantly, the Caguan talks have come to represent a key moment in Colombian political and military history, as well as becoming a traumatic episode in the country's collective memory. Despite the lack of commitment by both parties, public opinion has consolidated around the argument that the FARC-EP had duped the state, an argument that remains in currency today. A less mainstream narrative has posited that the actions of the government had also been ingenious.⁴⁴ In reality, the collapse of the talks responded to a complex series of factors, including hubris, fear, and an assumed belief in military superiority on both sides.

The Caguan experience wielded an immediate impact upon the elections of 2002: President Alvaro Uribe was elected to office on a platform that kicked back against the failed peace process carried out under his predecessor, and called for a military solution to the armed conflict. The Caguan talks also influenced the decisions taken by the negotiating parties during the current peace talks, in particular by the Colombian government. Specifically, it moulded decisions regarding the agenda for the negotiations (a less broad agenda was chosen that aims exclusively *to put an end to the conflict*)

⁴³ Topics included the collective vision of the conflict, political legitimacy, security, participation, democracy, functioning of the state, the public force, social and economic aspects, agrarian reform, natural resources, sovereignty, drug trafficking and paramilitarism.

⁴⁴ Chernick 1999.



and the conditions under which negotiations would be carried out (*negotiations were carried out with no ceasefire, and no demilitarised zone was afforded*).

The US government played a key role during the Pastrana and Uribe administrations, ultimately escalating the pressure for an all-out military solution in the aftermath of the Caguan. As the talks languished, the US withdrew its support to the Pastrana talks and came to favour a military end to the conflict. Within this context, under Pastrana US aid to Colombia began to increase considerably, and, over time, a bilateral aid package was formulated that was ultimately consolidated within the framework of *Plan Colombia* (2000-2009), which would increase under the subsequent government of President Uribe.

Between 1996 and 2010, Colombia, the US's closest ally in the region and third highest recipient of US aid at the global level, received \$6.14 billion in military and economic aid, \$5.56 billion of which was channelled through Plan Colombia after 2000.

Military Pacification: The Policy of Defence and Democratic Security

Presidents Bush and Uribe found resonance in their respective 'war on terror', and became close allies. With financial and political support from the US, particularly in the aftermath of 9/11, President Uribe formulated his government's security policy, the *Policy of Democratic Defence and Security* (Democratic Security, DSP), which was launched in 2003 and aimed to put an end to the 'narco-terrorist' FARC-EP, as Uribe defined the insurgents.

The undergirding objective of the DSP was to counter the insurgency through a series of interrelated goals, including strategic military pacification and stabilisation activities. The DSP sought to regain and consolidate state control and presence throughout the national territory with the aim of denying sanctuary for illegal armed actors and perpetrators of violence ('terrorists'); to guarantee the protection of the civilian population through increasing state presence/control and reducing violence; to combat the illegal drug trade and eliminate resultant revenues financing illegal armed groups ('terrorism'); and to guarantee and efficiently manage resources with the aim of reforming and improving the performance of the government.

The DSP's strategy would be achieved through the inclusion of the civilian population (informants); general support to the military; the augmentation of intelligence capacity; the restoration of control over transport infrastructure; the demobilisation of illegal groups; the integration of the armed forces; and increased defence spending.

At the end of the 1990s, and subsequently within the framework of Plan Colombia, a process began through which the armed forces were systematically reformed. The Colombian military upgraded its hardware, streamlined logistical procedures and implemented widespread training of its personnel.

As a consequence, the Colombian armed forces were able to guarantee air superiority, improve mobility and logistics, enhance reaction time to guerrilla threats and operations, and garner greater capacity for night operations, which were central to bringing the fight to the guerrillas. The US-funded processes led to the restructuring of intelligence structures and networks, ultimately precipitating more streamlined and effective intelligence gathering procedures.⁴⁵ During the presidency of Pastrana, the armed forces had grown by 60 percent to 132,000 (including 55,000 professionals). By the end of both terms served by President Uribe in 2010, the military had increased to 283,000 and the national police force to 159,000. Specific elite counterinsurgent combat units were also created under Uribe, including Task Force Omega (in 2003), and, with the effective support of the US, Joint Commands were established to permit coordination between the army, air

⁴⁵ Crisis Group 2012.



force and navy. Under Uribe, military pacification gradually reigned in the guerrilla threat. The cost, however, was high.

Heavily financed by the Bush administration, the Uribe government waged an all-out war against the FARC-EP, and, increasingly, against its social base and those human rights and civil society organisations that opposed the DSP and its humanitarian and human rights impact. Space for civil society mobilisation under Uribe closed considerably, and civil society organisations were prohibited from carrying out Track Two diplomacy or having contact with the armed left.

Over eight years, the DSP prioritised counterinsurgent struggle, rejecting any strategy that would support negotiations with the guerrillas, as prior governments had done in the 1980s and 1990s. Under President Uribe, the reach of the Colombian state began to be consolidated. The military mushroomed, while the country's civilian intelligence service, the Administrative Department of Security (DAS), was employed, allegedly by the executive, to carry out illegal surveillance operations against those constitutional court judges, politicians and human rights organisations who opposed or questioned the Uribe administration.

In the immediate aftermath of the first Uribe election victory, the joint forces carried out a series of key operations, including Operation Orion in Medellín's Comuna 13 in October 2002, in which FARC-EP and ELN rebels and sympathisers were removed from the neighbourhood. The operation left the Comuna in the hands of paramilitary organisations that arguably still wield control over the zone today. The armed forces also implemented Operations Freedom I and II, successfully frustrating the potential encircling of Bogotá and restoring state control across urban areas and transport infrastructure in Cundinamarca and other central areas of the country. Finally, through Plan Patriot (2003-2006), the military carried out its largest ever offensive, involving 18,000 troops across the departments of Caquetá, Meta, Putumayo and Guaviare, key FARC-EP strongholds. The operation had a significant impact upon the eastern and southern blocs of the FARC-EP, its most powerful structures.⁴⁶

The impact of the DSP was complex. In many rural zones, although with the exception of specific zones of historical support for the guerrillas such as Caquetá and Catatumbo, counterinsurgency operations successfully forced the guerrillas to cede territory and shift strategy from breadth of presence to strategic and selective attacks. The overall impact on the guerrillas was emphatically to weaken its command structure and strategic operational capacity, while partially fracturing communications capability, arguably pushing the insurgents ever closer to the negotiating table. The capacity of the government to inflict such impact upon the FARC-EP was facilitated through the constitutional reform approved in 2005 permitting then President Uribe to stand for a second four-year term. Uribe subsequently won the presidential elections in 2006, affording greater stability and continuity to the DSP.⁴⁷

The FARC-EP was pushed back from the country's central Andean departments, at the same time as it was forced to cede its presence and operational capacity in diverse urban areas. The military's onslaught pushed the FARC-EP towards increasingly peripheral areas of Colombia, and weakened the group's control over strategic corridors.⁴⁸

In numeric terms, the impact of the DSP was devastating. Between 2003 and 2009, the security forces killed over 12,000 FARC-EP combatants and captured a further 12,000, dramatically reducing the insurgency's numbers. In the twelve years after Uribe's assumption of his first presidential

⁴⁶ Crisis Group 2012.

⁴⁷ Crisis Group 2012; 2016.

⁴⁸ Crisis Group 2012.



mandate, approximately 17,000 combatants demobilised, leaving FARC-EP fighters at approximately 9,000 by 2012. The insurgency had been operating in 377 municipalities in 2002; by 2010, it had effective operational presence in only 142.⁴⁹ In parallel, the DSP achieved its objective of extending state presence, and, by 2006, the security forces had achieved operational presence in all the country's 1100 municipalities.⁵⁰ This was very effective military pacification.

However, it would be remiss to explain the dramatic rollback of the FARC-EP's project as exclusively a consequence of the DSP. At the same time as the DSP waged war on the guerrillas, the state and the political and economic establishment outsourced the violence to paramilitary organisations, financed directly by the economic elite, and trained and armed by the Colombian military. After its creation in 1996, the United Self-Defence Forces of Colombia (AUC) enjoyed broad operational, financial and technical support from the military high command. Across rural and urban areas, the military financed and trained paramilitary forces in a war of terror precipitating vast numbers of abuses against the civilian population.⁵¹

The command structure of the AUC worked closely with landowning elites – often paid directly by them – and local and national state and government officials. Over time, the AUC extended its network and mandate beyond combatting the guerrillas and became involved in drug-trafficking and other criminal enterprises. The AUC became a key actor in the illicit drug trade, at the same time as its role was counterinsurgent, representing a central actor in the 'dirty war'. By the early 2000s, as a result of conventional counterinsurgency operations and accompanying brutal paramilitary operations often coordinated with state security forces, the FARC-EP were strategically defeated and withdrew from a range of zones where they had been historically embedded, for example in the coastal zone of Montes de Maria.

Zones that were cleansed of guerrilla threat by the military were subsequently designated for the implementation of a 'consolidation strategy'. In this regard, in 2007 DSP was supplemented with the Democratic Security Consolidation Policy (DSCP), stabilisation activities focusing upon the consolidation of territorial gains by increasing state presence in conflict zones. In 2009, a strategic shift was made to the National Territorial Plan of Consolidation (PNCT). Both the DSCP and the PNCT emerged out of an evolving DSP, although they did not break with its primary military focus.⁵²

The consolidation strategy brought a series of stabilisation initiatives with the aim of imposing initial military presence to be followed with the restoration of civilian authority structures, public services and development. However, the programme has been consistently criticised for not following through quickly enough with the construction of effective civilian authorities, leaving consolidation zones militarised and underdeveloped. While the programme's high military component progressively decreased rates of direct violence and contributed to the withdrawal of the FARC-EP, it systematically restricted civil and political rights of the most vulnerable inhabitants even in zones such as the Macarena, the PNCT's poster child.

In general, the DSP had sought to ostracise and marginalise the FARC-EP, to reduce dramatically the number of armed combatants and the dimension of the organisation's social base, and to fragment the organisational structure of the group. Military operations were key in this respect, as was the destruction of the rebels' social base, leading to the systematic contravention of international human rights and international humanitarian law.

⁴⁹ Foundation Ideas for Peace 2011: 11.

⁵⁰ Crisis Group 2012.

⁵¹ Stokes 2003.

⁵² Crisis Group 2012.



Within this context, and with the technological, military and financial support of the US within the parameters of military assistance and Plan Colombia, the military executed a plan of targeted assassinations of high-value targets, including members of the Joint General Staff (EMC) and Secretariat, the FARC-EP's most important decision-making entities. The programme, which sought to decapitate the guerrillas by eliminating its leadership, led to the killings of Negro Acacio (head of the 16th Front and a key member of the illicit drug business) in 2007; Martín Caballero (37th Front), in 2007; Raúl Reyes (member of the Secretariat) in an illegal bombing operation into Ecuador in 2008; Mono Jojoy (the FARC-EP's military leader) in 2010; and Alfonso Cano (the guerrilla's supreme leader) in 2011. While the guerrillas were able to recover rapidly from these killings, they arguably had an effect upon both morale of middle and low-ranking combatants, as well as causing a minor destabilisation of the groups' military structure and its network of contacts and communications capabilities.

While the DSP arguably incorporated both military pacification and stabilisation activities in rural zones of the country, it employed strategies that have led to widely evidenced systematic human rights violations. At the same time, the policy has not been watertight. After 2009, the military actions of the FARC-EP began once again to increase, as the group took advantage of the insecure border zones with Venezuela and Ecuador 'to rest, re-equip and expand illicit businesses'.⁵³

⁵³ Crisis Group 2012: 3.