



# The Colombian peacebuilding process: discussion at an international seminar

By Augusto Varas

## ■ Executive summary

Peace talks between the Colombian government and the Revolutionary Armed Forces of Colombia have created international expectations of an end to the longest internal armed conflict in Latin America. However, peace negotiations are facing crucial obstacles: agreements reached thus far are too general and need further detailed development; both parties are facing internal opposition; the social demand for transitional justice is widespread, but its implementation will be difficult; and, because of this, legitimising a peace agreement would require a protracted political effort, civic participation and a solid communication campaign explaining the terms of the agreement.

The post-agreement phase would require the implementation of key public policies to close the rural-urban gap and cut the guerrilla-drug trafficking link; new and more efficient government agencies at the subnational level should be created to deliver public goods; military institutions should have greater civilian control and leadership to transform their role from internal security to that of national defence; and since the peace process has been gender blind, it will be crucial to increase women's participation in the peacebuilding process. Arms decommissioning and arsenal destruction should have a blueprint, and social movements should oversee the enforcement of peace agreements and peacebuilding policies.

In his early November trip to Europe President Juan Manuel Santos of Colombia estimated the cost of implementing social, economic and political policies after a successful peace agreement to be \$45 billion. Implicit in this figure was Santos's expectations that the peace dialogue in Havana would soon have a positive outcome. Reinforcing this optimistic scenario, the European Union announced ten contracts worth \$36 billion for projects aimed at building peace in Colombia, encouraging rural development and implementing social policies to reduce inequality. The "New Territories for Peace" strategy would benefit the departments of Caquetá, Guaviare and Canal Dam (Atlantic and Bolívar) and Lower Magdalena (Magdalena and southern Bolívar) regions.

However, despite the announcement two years ago by the Revolutionary Armed Forces of Colombia (FARC) that it would stop abducting military personnel, the kidnapping in mid-November 2014 of Brigadier General Rubén Darío Alzate and two companions in the northern province of Chocó by the FARC's 34th Division froze the peace dialogue in Havana, indicating the complexity and fragility of the

process (the three kidnapped personnel were released on November 30th).

These complex and contradictory political circumstances of the peace dialogue were analysed and discussed at the international seminar on "Peace in Colombia" organised by NOREF and the Chile21 Foundation in Santiago, Chile, on October 20th 2014. Participants added important nuances to previous Colombian government enthusiasm over a peace agreement. The following topics were highlighted:

- In light of perceptions that the peace dialogue is in a state of "catastrophic equilibrium" – i.e. a situation where all parties will lose if no agreement is reached – seminar participants estimated that negotiators were at a point of no return, but without a clear blueprint for moving forward. Even though the parties in Havana had agreed on agrarian reform, political participation and drugs, these were limited and incomplete accords full of spaces that still needed to be filled.

- Both parties to the peace dialogue face internal differences and have important enemies, such as the Retired Military Personnel Association and former president Alvaro Uribe, who is a strong supporter of a military solution to the conflict. As an additional difficulty, observers have indicated that this is the right moment to initiate a similar peace dialogue with the National Liberation Army and include it in the peace framework and agreement to avoid the opening of a new negotiation front with different components to the current dialogue, but this would delay progress in Havana.
- Kidnappings by the FARC and repression by government and paramilitary forces in areas like in Buenaventura show that both parties have been unable to control their own internal opposition movements in subnational spaces and may therefore be unable to honour the agreements reached in Havana.
- Another obstacle that has to be overcome is both parties' vested interests. Political negotiators need to protect and ensure their own political futures and simultaneously provide legitimacy to the final agreement. In light of the fact that civil society supports peace (80%), but with justice (70%), the major issues of reparation and transitional justice need to be tackled, but, simultaneously, the social demand for no amnesty limits the likelihood of disarmament, demobilisation and reintegration (DDR) processes. One option discussed in Colombia has been to indict only those responsible for major and systematic crimes; however, the definition of these concepts has yet to be decided on. An option is to create new institutional mechanisms by changing the constitution and the law. The prosecutor general is studying possible changes to the penal law to introduce community service as an alternative to traditional penal punishment. Nevertheless, victims' associations – powerful new actors who are playing an important role in the peace dialogue – are making it more difficult to move in this direction. In terms of an institutional mechanism to prosecute those responsible for major crimes, a discussion has been initiated to try them in national ad hoc tribunals or international courts.
- The government will have to legitimise the final agreement through democratic mechanisms of some kind. The alternatives discussed have been a referendum and a constitutional assembly. Whatever method is chosen, it will be necessary to make the peace dialogue in Havana relevant to the whole Colombian population. To do this victims' associations volunteered to be "ambassadors" of the process to Colombian civil society and promote the peace process and its accords. It will be necessary to implement a national communication campaign explaining the basis of the potential agreement to be ratified, but the credibility gap that is affecting government policies will need to be considered. As an example, it was pointed out that two years after its approval the land restitution law has only benefitted three families.
- The post-agreement phase was discussed and important issues were highlighted. One element affecting Colombia's social and economic development has been the rural-urban gap, but policies to close it have not been successful. Rural development policies to cut the guerrilla-drug trafficking link are crucial in this regard.
- The business community sees the peace dialogue as positive and good for business, and perceives its members as playing a key role in implementing the Havana agreements. However, it is concerned over the costs of post-agreement policies and guerrilla reinsertion programmes.
- The fragmented and inefficient state and absent government agencies at the subnational level create space for guerrilla organisations to play the state's role by default. In these areas the government neither exercises full state sovereignty, nor provides citizens with security, nor monopolises the use of force. In this regard an effective DDR process would imply an all-embracing state reform process with a special focus at the subnational level.
- Another area that a potential peace agreement will dramatically affect is that of national defence and military institutions. In light of the high level of autonomy achieved by the military due to its role in combating guerrilla forces, key issues are at stake, i.e. those of increasing civilian control and leadership over the military, redesigning its forces and changing its focus from internal security to national defence. Some Latin American countries could be helpful in this process.
- The peace process has been gender blind. When considering a possible DDR process, it is important to note that 30% of FARC personnel are women. The same is true of rural communities, where women victims are found in communities displaced not only by military conflict, but also by mega hydroelectric projects like those in the River Cauca canton. For these reasons women's rights organisations are concerned over the low participation of women in resource distribution in a peacebuilding process and, more generally, over the actual participation of women as citizens with full rights in the construction of agreements and their implementation.
- A crucial topic that has not yet been discussed is how to deal with the decommissioning and destruction of the FARC's weapons. The Irish Republican Army case and other international experiences and best practices should be studied and a blueprint proposed to achieve this.

- Finally, in light of the weakness of the Colombian state and the need to oversee and enforce a peace agreement and the policies that will be implemented as a result of it, social movements and civil society organisations could be empowered to play an important role in this process, particularly in rural areas. ■

## ■ THE AUTHOR

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