

## >> **Opening pathways to peace in a context beset with obstacles**

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**R**ight in the center of the idyllic city of Havana, surrounded by an environment known for its good music and excellent cuisine that mixes Spanish, African and Caribbean flavors, two Colombian groups had been discussing, already for six months, whether to put an end to a war that has been going on for five decades and has lost its original political sense, an absurd conflict created by Colombians against Colombians. During these six months, the pressure has increased and the criticism of people opposed to this process is gradually gaining importance, although there is a first agreement between both parties. This is the balance of a semester of dialogues that calls for patience.

It all started six months ago with a presidential speech, in a movie-like announcement, when President Juan Manuel Santos informed the country of one of the news of the year: the National Government and the FARC guerrillas had held exploratory meetings that led to the signing of a "General Agreement for the Termination of the Conflict". Subsequent meetings in Oslo (Norway) and Havana (Cuba) would seek to bring peace to the country in a specific time frame.

The government and the FARC started negotiating on November 19, 2012, already a year and a half ago, and since then only the first of five points has been discussed, the "Comprehensive Agricultural Development Policy", which translated into a historic agreement. This is first formal arrangement between the Colombian Government and the FARC guerrillas after five decades of conflict.

Despite the aforementioned agreement, four points still remain on hold: Political Participation, the End of the Conflict, Solution for Illegal Drugs and Victims Compensations. Even in the best-possible scenario as regards these points, several questions arise: Will an agreement with the FARC ultimately ensure the peace Colombians have been so desperately waiting for? Are the FARC guerrillas the only problem in Colombia? Is the country ready for the post-conflict era? A multi-criteria analysis is essential in order to have a clearer picture of the situation.

### **AGREEMENT FOR THE NEW "COMPREHENSIVE AGRICULTURAL DEVELOPMENT POLICY"**

The agreement reached in May is a historic event. It took place after almost 50 years of internal war and five aborted dialogue processes that sought the end of the conflict during the Governments of Belisario Betancur (1982-1986), Virgilio Barco (1986- 1990), César Gaviria (1990-1994), Ernesto Samper (1994-1998) and Andrés Pastrana (1998-2002).

This is the first of the five points that have been agreed and will be discussed during these negotiations. In order to establish a new Comprehensive Agricultural Development Policy, the Government asked Juan Camilo Restrepo, Minister of Agriculture and Rural Development, to lead this process. After fulfilling this mission, he left the government. The exit of the former Minister of the Santos Government is probably due to his presidential aspirations. He will run with the Conservative Party for the 2014 elections.

Although Restrepo resigned over a month ago, it was not until the agreement with the FARC regarding the aforementioned issue was reached that his resignation was accepted. The action plan of the Government was based on the bill that the former Minister had been designing for just over two years.

This bill had a quite noteworthy coincidence, well pointed out by the national media six months ago. According to the Magazine Semana there are great similarities between the text drafted by Restrepo and the 1964 FARC Agriculture Program, which already demanded subsidies for farmers as well as free land and credits.

Few details of this agreement are public, only those previously mentioned: subsidies, free land and credits for farmers. The changes that this agreement will entail shall be implemented by the Ministry of Agriculture and Rural Development through laws or decrees and will not modify the National Constitution.



## PEACE GOES BEYOND A MERE AGREEMENT WITH THE FARC

While the FARC guerrillas have had a “black” role in the history of Colombia’s internal conflict and even though it is understood that a peace agreement would give a new reason for many Colombians to smile, peace does not exclusively depend on it. Colombia has many other problems at different society levels, suffocating the nation and increasing inequality.

### THE ELN GUERRILLA

In a shameful, immoral and bloody attempt to become visible and possibly be part of agreements such as the one reached with the FARC, the National Liberation Army (ELN) announced a terrorist campaign involving kidnaps and assassinations. Two recent events illustrate this situation.

**1 “They kicked the wounded soldiers to check whether they were still alive and then killed them”, massacre of 11 soldiers, May 22 2013.** On Wednesday May 22, the ELN attacked a camp in Chitigá (North of Santander) where soldiers were resting. The difficult access to the location prevented reinforcements from arriving rapidly. When they finally got to the camp, over two hours later, they witnessed the barbaric aftermath: 11 soldiers were killed and one was kidnapped.

Survivors stated that the dead soldiers were shot from point blank range, one of them even confirmed to the newspaper “El Tiempo” that *“they kicked the wounded soldiers to check whether they were still alive and then killed them”*.

**2 A prisoner of war of just 22 years of age– May 27, 2013.** After the attack against the population of Chitigá, in the North of Santander, the ELN confirmed the abduction of Corporal Carlos Fabián Huertas in a press conference. Apart from being separated from his family and friends, he was also separated from his 4-months pregnant woman.

Even though no rapprochement between the government and the guerrilla has been announced for the moment, several media as well as political leaders suggest that a new process might start in order to establish peace dialogues. Nicolás Rodríguez, alias “Gabino” and top leader of the ELN said in an interview with the international agency Reuters that his group would be willing to participate in a joint process with the FARC.

Although this option has never been considered, at least officially, it clearly shows that the ELN wishes to dialogue and that the government should take advantage of this opportunity. This context is also reinforced by the latest interview with Gabino that newspaper “El Espectador” published, where he stated that “if these meetings seek to bring peace, the ELN will contribute”.

### THE BACRIM

Bacrim, criminal gangs, refer to mafia groups largely comprised of former members of the United Self-Defense Forces of Colombia, paramilitaries, some guerrilla factions and common criminals. The fact that they operate throughout the whole Colombian territory and even recruit minors has translated into an enhancement regarding their capacity to handle firearms, micro-trafficking, kidnapping, extortion and smuggling.

“The country is witnessing constant attacks against the peace process with the FARC, marked by malicious messages and terrorist acts of other illegal armed groups”

According to a report by the National Federation of Ombudsmen (Fenalper) and quoted by the magazine “Semana”, the most dramatic event has taken place in Buenaventura (Valle del Cauca)... between September and November 2012 official authorities recorded 17 mass movements; over 7,000 displaced people, 90% of the movements being due to Bacrim activities”<sup>1</sup>.

### THE BILLBOARDS OF CONTENTION

A series of billboards sponsored by former Vice President Francisco Santos, cousin of current president Juan Manuel Santos, generated a high controversy due to the strong message

they conveyed, which delegitimized the peace process that the Government and FARC guerrillas are promoting.

In cities like Bogota, Medellin, Monteria, Valledupar and Ibagué billboards could be seen with the famous image of drug trafficker Pablo Escobar, next to Ivan Marquez, member of the dialogue team of the FARC. In the center there was a message reading “Guess who has killed more policemen. We want peace without impunity, Francisco Santos.”

Comparing both of them is a clear way of exerting pressure on the Government to ensure that strong punitive measures are taken against the guerrilla group, as they fear that their actions might be forgiven and forgotten, and its members will not be serving any sentences.

### BASED ON THIS SCENARIO, WHAT IS GOING TO HAPPEN?

The country is witnessing constant attacks against the peace process with the FARC, marked by malicious messages and terrorist acts of other illegal armed groups. There also is an inherent social pressure, directly proportional to the expectation created six months ago. Considering these situations, there are only two measures that must be implemented.

The first involves raising awareness regarding the fact that peace does not solely depend on what might ultimately happen with the FARC, as Pope John Paul II said, “No one make illusions that the mere absence of war, even if so desired, is a synonym for true peace. There is no true peace unless it is accompanied by fairness, truth, justice and solidarity”.

Precisely, that fairness, truth, justice and solidarity is achieved through agreements with all involved parties or, at least, most of the conflictive groups of the country, providing decent social conditions to a population that collapses due to unemployment, corruption and limited access to basic food or health services.

The second measure is to be constructive auditors of the process with the FARC, promoting agreements based upon principles of justice and equity.

### PEACE DIALOGUES ARE NOT STOPPING

Since June 11, the tenth cycle of dialogues is taking place in Havana, which addresses the second item on the agenda, “Public Participation”. This process entails several affairs where opposite points of view clash: forgiveness, forgetfulness and punishment. Moreover, it also raises

<sup>1</sup> Magazine Semana. The brutal figures of Bacrim, (Digital version) May 15, 2013 available at: <http://www.semana.com/nacion/articulo/las-violentas-cifras-bacrim/340170-3>

other questions: Will the current political parties “make room” for these guerilla groups in Congress? Will anyone vote for the leader of an organization responsible for abductions, deaths and drug-trafficking in Colombia? We should take these issues into consideration.

A week after the start of the tenth cycle of dialogues, the FARC surprised everyone with the publication of a Decalogue to ensure a fair political participation, once peace has been signed. In this summary the guerrilla seeks a new and real democratization of Colombian politics.

#### THE TEN POINTS ARE<sup>2</sup>:

1. Democratic restructuring of the State and political reform.
2. Full guarantees for the exercise of political opposition and the right to govern.
3. Full guarantees for guerrilla organizations in rebellion and its members for the exercise of politics were a final Agreement to be reached.
4. Democratization of information and communication as well as mass media.
5. Promotion of the participation of the regions, local authorities and territories.
6. Social and popular participation in the process of public policy and planning and, particularly, as regards economic policy.
7. Guarantees for political and social participation of agricultural, indigenous and Afro-American communities, as well as other excluded social sectors.

8. Promotion of social and popular participation in the process of integration of America.
9. Political Culture for participation, peace and national reconciliation and the right to protest and social and popular mobilizations.
10. Convening of a National Constituent Assembly.

Roughly speaking, the most noteworthy proposal of this guerrilla group is their intention of changing the appointment process for transcendental positions in the country such as Attorney, Comptroller, Attorney General and Ombudsman to a popular election. Likewise, they suggest the creation of an **opposition statute** which establishes clear rules for opposition movements.

The FARC also ask the State to restore the legal status of Unión Patriótica, a political party created in 1985 after the talks with former President Belisario Betancur. One of the key points is related to the convening of a constituent assembly, a mechanism that seeks to change constitutional laws.

This is the context of Colombia, in which the Nation is trying to reach an agreement with the group that has caused the most damage and sadness in the country, but not the only one. The Government should continue its work with caution, serenity and calmness in its quest to achieve peace with the FARC, but will also need to do it with other illegal armed groups. At the same time, it is essential to improve the conditions of the country so that, at least, all Colombians have access to education, food and health services.

<sup>2</sup> Extract of the press release of the FARC guerillas for the public opinion, June 19, 2013.



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