PEACE AND RECONCILIATION IN THE MAKING: THE CASE OF COLOMBIA AND LESSONS FOR EXISTING ARMED CONFLICTS IN AFRICA (AND BEYOND)

Fabio Andrés Díaz

Research Associate

Department of Political and International Studies
Rhodes University
&
Researcher

Researcher Institute of Social Studies Erasmus University Rotterdam

> diazpabon@iss.nl @diazfabioandres

ABSTRACT

Colombia can be regarded as the longest running civil war in the world. However, the country can also be seen as an example of successful peace initiatives and failed peace attempts; a series of lessons have been learned in regards to peace building and reconciliation. The current peace process with the *Fuerzas Armadas Revolucionarias de Colombia*, FARC-EP, and the prospects for a final peace agreement with this organization do not emerge in a vacuum: it is the outcome of several initiatives for peace since the mid 1980's, and of a state infrastructure geared in that direction for more than three decades. The current prospects for making peace a reality in Colombia are informed by previous peace processes, failures and experiences that have helped to consolidate the institutions and practices that enhance the possibilities of success in the current peace process. I argue that the learning from the failures of the past three decades of peace building initiatives in Colombia can serve as a referent to inform future peace initiatives in African countries.

KEYWORDS: Colombia, peace, FARC, peace infrastructure.

1. Colombia and the FARC-EP: a peace process in the making for the last three decades

The Colombian armed conflict is usually described as the fight between the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo/ Revolutionary Armed forces of Colombia-People's Army (FARC-EP) and the Government. However, this would be an incomplete description of the conflict, as different groups operate in different provinces of Colombia (a country as big as South Africa). Paramilitaries, the Ejército de Liberación Nacional / National liberation Army (ELN), Ejército Popular de Liberación / Popular liberation Army (EPL), Bandas Criminales / Criminal Gangs (BACRIM), organized armed groups and Drug Traffickers are some of the names used to label some of the organizations who are participants in this violence, in addition to the FARC-EP.

The emergence of the conflict can be described as the product of challenges in consolidating a strong and legitimate state, and the failure to provide different political constituencies with political representation, in a context of structural violence and extensive inequality of wealth and

land ownership. A romanticized understanding of any of the armed actors involved should be avoided and would imply denying the extent to which their actions have been tainted by drug trafficking, corruption, and the violation of the human rights of the same people they claim to represent. The fact that around 15% of the national population (seven million people out of a population of forty seven million people) is victim to the conflict indicates the extent of the human tragedy suffered by Colombians

The current peace process with the FARC-EP is not a fortuitous event. Rather, it is the outcome of a process in the making since the mid-1980s; the current negotiation has been preceded by several peace attempts in recent decades². Formal negotiations took place in 1982-1988, 1992, and between 1999 and 2002 before the beginning of the current peace process in 2012. The peace process can thus be read as the fourth stage of the same negotiation (between the Government and the FARC-EP) in which the representatives from either side have built a relationship over decades of formal and informal engagements (see image number one below). The mutual realization by the FARC-EP and the Government that military victory is not feasible brought both actors back to the negotiation table. The current agenda's structure is informed by lessons learned in previous peace negotiations and can be seen as the outcome of the failure of both the 1999-2002 peace process between the Government and the FARC-EP, and of the subsequent "all-out war" strategy followed by the Colombian government between 2002 and 2010³.

Image number one. The leader of the Peace delegation of the FARC-EP Ivan Marquez (l) and the leader of the Peace delegation of the Colombian government in negotiations in Havana (r), in Cuba in 2015 (left image) and in Tlaxcala, Mexico in 1992 (right image).



Source: Revista Semana. Retrieved on July 23rd 2016 from:

https://static.iris.net.co/semana/upload/images/2013/12/21/369204 13471 1.jpg



Source: Diario el Tiempo. Retrieved on July 23rd 2016 from:

http://www.eltiempo.com/politica/proceso-de-paz/santos-y-timochenko-en-la-habana-el-abece-del-gobierno-para-explicar-los-acuerdos-alcanzados/16385026

The current negotiation process has an agenda consisting of five main points (see image two), and has reached preliminary agreements on the issues of land ownership, political participation, illicit drugs, victims, and justice and reparation⁴. Challenges in reaching agreements on the last items of the agenda still remain; these items include disarmament and demobilization, and the countersigning, implementation and verification of the agreements.

Several analysts question the length of the negotiations (ongoing for the last four years), and question why the process is taking so long. The fact that every point in the negotiation is considered by both actors, informed by inputs by different constituencies in the country (indigenous groups, women, afro-Colombians and other minorities), reflects the seriousness with which both parties approaching the negotiation; compromises made by negotiators from both sides underscore this. Furthermore, it would be disingenuous to assume that a conflict of five decades can be solved in a short period of time and simply tied off with a nicely worded

agreement following a "liberal peace" template. The preliminary agreements in fact comprise hundreds of pages and point to specific elements that need to change to pave the way for peace in Colombia. Also, the extended time has given both actors the opportunity to reflect on what has worked and what has not worked in the past processes, has enabled the development of a solid agenda and has provided the space to build trust. Therefore, a lengthy process seems to be more helpful (for now), and has facilitated wider participation than would be possible in a process aimed at achieving agreements in the shortest time possible.



Image two: Components of the negotiation agenda in Havana.

The fact that only four Colombians have perished in the conflict between the FARC-EP and the Colombian government in the last twelve months is a promising milestone for the post–agreement phase⁵ (one civilian and three members from the Colombian Army). In spite of the fact that the negotiations are taking place overseas in Cuba, debates have been taking place within Colombian institutions on how to prepare for the multiple challenges for peace for the last four years.

Initiatives undertaken by the Legislative and the Judicial branch have established an institutional framework that is better placed to support victims, the post-agreement phase and future peace processes, and have developed necessary institutional capacity. In fact, before the negotiation officially started the Colombian government set in place a Victim's Law⁶ and a Historical Memory Commission⁷, as well as a robust rebel demobilization agency⁸, in a process that could be described as the consolidation of a *pre-emptive peace*.

2. Pre-emptive peace: Infrastructure for peace, and lessons learned

The milestones reached in this process should not be taken for granted. The possibility of the success of the peace process with the FARC-EP is not only informed by the experiences of past peace processes between them and the Government, but is also the outcome of several initiatives in the country for peace since the mid 1980's and of a state infrastructure geared in this direction for more than three decades. The current prospects for making peace a reality in Colombia are informed by previous peace processes; the failures and experiences of previous peace processes have helped to consolidate the institutions and practices that will support the possible success of the current peace process.

Colombia has not only undertaken peace negotiations with the FARC-EP in the last three decades, it has also successfully negotiated agreements with different groups (see image three), such as the *Movimiento 19 de Abril /* 19th of April Movement (M-19), the *Ejército Popular de Liberación /*

Popular liberation Army (EPL), the Movimiento Armado Quintin Lame / Quintin Lame Armed Movement (MAQL) the Corriente de Renovacion Socialista / Socialist Renewal Stream (CRS) and the Autodefensas Unidas de Colombia / Self- Defence forces of Colombia (AUC), among others.

Image three: Previous peace agreements and demobilization of armed groups in Colombia



Source: Own elaboration

In the process of these negotiations the country has changed its social and political structures, allowing for the creation of a new social covenant, expressed in the constitution of 1991, which reframed and established a series of institutions and warrantees for political participation and civil rights. This constitution defined a series of rights and obligations for Colombians in line with the approach of the social-democratic regimes of Northern Europe. However, the implementation of this covenant was constrained by the failure of the state to achieve the monopoly of force across its whole territory, prevalent inequality, and the use of violence and intimidation by some political and economic actors for their political and economic benefit. In Colombia, rights and entitlements are granted by the constitution; however the realisation of these in practice fades as the distance from the capital of the country increases.

These peace initiatives have left the country with incredible legal and institutional achievements that constitute a legacy that is now informing and supporting the current peace process as a project of the state beyond presidencies and particular political actors. For example, in the peace processes presented in image number three above, more than 35.000 fighters from five different groups have been demobilized in the last 25 years (see image three).

This vast experience has also included challenges and failures in regards to peace processes themselves, and highlighted the necessity of converting written agreements into practices, institutions and clear programs that can realise the promise of agreements for cadres and citizens alike. For example, several cadres belonging to the EPL demobilized but were later recruited by paramilitary forces in a failed demobilization strategy. The failures of this process informed the definition of a more robust demobilization policy within the Government, which is currently embraced by the *Agencia Colombiana para la Reintegracion/Colombian Agency for Reintegration* (ACR) - the governmental institution that deals with the demobilization of fighters and deserters who want to re-join civilian life in Colombia.

This infrastructure for peace is also supported by a series of rulings by the high courts of Colombia that uphold mandates of the 1991 constitution; these rulings have codified a series of binding obligations of the state in regards to victims of the conflict, historical memory, and the victims of forced displacement. In addition, the legislative body of the country has taken initiatives to give effect to these rulings through new laws that outline a series of procedural elements to solve the conflict and mitigate its consequences, whilst the conflict is still on-going. Therefore one can observe the legislative, executive and judicial branches following the mandate for peace given by the constitution of 1991.

If the Colombian negotiation between the FARC and the state proves successful, this might support the consideration of peace-making as an institutional process in line with nation building (and thus a lengthier process), rather than as an event defined by the mere signing of agreements. Agreements constitute the promise of what a country can become, institutions, bureaucrats and governmental organizations must transmutate these promises from paper into reality.

3. A brother from another mother? Can the Colombian model inform peace negotiations in civil conflicts in Africa?

There are a range of important differences between the Colombian conflict and the nature of civil wars in Africa. Colombia obtained its independence from Spain almost two hundred years ago, and the conflict with the FARC-EP did not emerge as the by-product of ethnic and political categories imposed by colonial powers. Additionally, this is not a regionalized conflict.

However, similarities also exist. The conflict in Colombia with the FARC-EP emerged at the same time as conflicts in Africa, and the ideology of the FARC-EP and its struggle is informed by a revolutionary ideology that attempts to reconstitute the political arrangements and historical disparities and injustices in the country through violence. The existence of a range of natural resources, such as oil, gold and illicit drugs, has changed the nature of the conflict in line with the premises of the "new war paradigm". Most importantly, the conflict in Colombia has attempted different peace initiatives and failed, in a similar fashion as different African countries.

It would be a mistake, and an exercise of colonial arrogance to suggest that future and current peace negotiations in Africa follow the Colombian path. Following blueprints for peace and conflict resolution has proven unhelpful in different instances across the world⁹. However, one can consider a series of elements that may inform the decisions of negotiators within Africa on how to drive their own peace initiatives based on the Colombian experiences.

One of the most important elements that informs the current peace process's possibility of success is the incorporation of lessons learned into programs within state institutions established to bring peace

¹⁰; the agreements achieved with the FARC-EP are informed by past experiences, improved institutional capacity and lessons learned. Peace processes cannot operate in vacuum; practices and institutions from previous negotiations must be evaluated and exploited for peace. The current prospect of peace in Colombia is not the outcome of a history of success, but of a history of perseverance in spite of previous failures by state institutions. Peace agreements cannot be honoured by weak institutions; peace requires state structures that are made progressively This conversation between the FARC-EP and the government has been led by Colombians and is supported by international actors. The role of the international community has proven supportive of the Colombian process, following the ethos of diplomacy and international cooperation. This could serve as a guideline that would support peace negotiations in the remaining African conflicts taking place at their own pace, respecting practices and customs of locals. Peace is and should not be built as a colonizing endeavor. However, this does not mean that negotiators should ignore any experiences and practices that took place in other spaces; in fact, the current peace process in Colombia has brought experts, practitioners, Nobel peace winners and advisers from different spaces and countries to Havana, in order to allow negotiators to learn from each other's experiences.

The agreements seem to be the product of a long conversation that has waited for the right moment to take place openly. A series of gestures and commitments that have taken place progressively, trust between both actors has been built slowly. This does not take place in a short time span; it takes a long time and requires commitment by the negotiating actors for peace. For this, both actors must realize, acknowledge and embrace that war has no future within their organizations, otherwise relapses of warfare will prevail.

4. A conclusion that is not a conclusion: Peace and reconciliation in the making

The peace process in Colombia is close to bringing an end to part of the violence that has affected the country for decades. Learning from other experiences, such as the South African and Mozambican initiatives, has proven useful; in a similar fashion, negotiators in Africa could learn from the Colombian experiences.

The agreements that will be signed between the Colombian government and the FARC-EP will not constitute peace. They will be the signed promise of peace and structural change; as such, they require the institutional capacity from the state to deliver this. In light of this, several government institutions seem to be moving in the right direction, and are planning to overcome the structures of violence in Colombia. The international community should also cater for this in their support programs, as peace making (if we are being serious about it) is a long process, which should transcend the investments of short-term projects desiring results in 36 months.

It is expected that there will be a violent response from some of the armed actors that are not yet in the peace process and are not interested in peace; however this peace process is a step in the right direction of a strengthened state, in which the avenues for violence are being progressively closed. The fact that the former mayor of the Capital of the country (the second most important political post in the country) was a former member of the M-19 guerrilla group demobilized in 1991 proves that change and reconciliation can take place in a space where violence decays progressively.

The success of these agreements will rely on the capacity of the institutions to deliver the promises of the agreements. Peace can be started on the basis of symbolic gestures, but must be built in the change of practices, structures and customs by the different actors involved. Otherwise we risk embracing myths that will feed discontent and disillusionment.

It is necessary to create platforms for continued cross-country comparisons that will inform important exchanges of experiences and lessons in an ever-evolving national and international context that demands continuous interrogation, reflection and solution. The African moment should be also a moment of peace for those countries (and their citizens) that, like many Colombians, do not yet know what it is to live in peace.

REFERENCES

1

¹ Registro Único de Víctimas / Registry of Victims (RUV) Available at : http://rni.unidadvictimas.gov.co/RUV [Accessed 23rd July 2016]

² Rozo, Marco Palacios (2012). *Violencia pública en Colombia, 1958-2010*. Bogotá: Fondo de Cultura Económica.

³ Diaz, Fabio Andres, and Syed Mansoob Murshed (2013). 'Give War A Chance': All-Out War as a Means of Ending Conflict in the Cases of Sri Lanka and Colombia. *Civil Wars*, 15 (3) pp. 281-305.

⁴ For accessing the draft agreements on land, drugs and political participation see https://www.mesadeconversaciones.com.co/documentos-y-comunicados

⁵ CERAC (2016), 'Un año de desescalamiento: conflicto casi detenido, pero que se resiste a desaparecer' Available at: https://blog.cerac.org.co/un-ano-de-desescalamiento-conflicto-casi-detenido [Accessed 23rd July 2016]

⁸ Colombian Agency for of ntegration (ACR), Available at: http://www.reintegracion.gov.co/en [Accessed 23rd July 2016]

⁹ Campbell, Susanna, David Chandler, and Meera Saba)atnam (2011). *A liberal peace?: the problems and practices of peacebuilding*. Zed Books.

¹⁰ García-Godos, Jemima, and Knut Andreas O. Lid (2011) . Transitional Justice and Victims'

García-Godos, Jemima, and Knut Andreas O. Lid (2011) . Transitional Justice and Victims' Rights before the End of a Conflict: The Unusual Case of Colombia. *Journal of Latin American Studies* 42 (3), pp. 487-516. De Coning, Cedric (2002) Peacekeeping in Africa. *African Journal of Conflict Resolution*, 4 (1), pp. 55–62.

⁶ Congress of the Republic of Colombia (2011) Ley 1448 de 2011:Ley de Victimas, Available at: http://www.centrodememoriahistorica.gov.co/ley-de-victimas/ley-de-victimas-y-restitucion-detierras [Accessed 23rd July 2016]