

*¿How to promote peace in Colombia?  
Ideas for the new Administration of the United  
States*

**Rapporteur's Report**

Prepared by The Colombia Human Rights Committee

Organized by:

US Institute of Peace  
Consultoría para los Derechos Humanos y el Desplazamiento (Codhes)  
Colombia Human Rights Committee

# *Promoting Peace in Colombia: Ideas for the New Administration*

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### **Introduction**

On Tuesday, December 2, 2008 members of government, civil society, and academia from Colombia and the United States, along with some members of the international community, met behind closed doors for a frank discussion and exchange of ideas for promoting peace in Colombia during the next U.S. administration. Approximately 70 people participated in the meeting, which was held under the auspices of the United States Institute of Peace, the Colombia Human Rights Committee and the Consultoría para los Derechos Humanos y el Desplazamiento (CODHES: Consultancy for Human Rights and Displacement). The meeting was financed and hosted by USIP. This report sets forth the positions expressed at the meeting, without attributing specific comments to specific participants. **It is not intended to reflect any consensus among the participants.**

The organizers described the meeting as a unique opportunity for civil society to assess the prospects for peace in Colombia and discuss policy options for the incoming Obama administration. The meeting included representatives of a wide range of civil society peace actors, Afro-Colombians, indigenous representatives, displaced persons, human rights activists, environmentalists, church leaders, former hostages, and academics.

The meeting was organized in two parts. The first part examined the current situation in Colombia and the steps that can be taken within the country to set the framework for peace. The second part focused on how the United States could design initiatives and policies that would promote the peaceful resolution of the conflict in Colombia. Over lunch, representatives of the U.S. and Colombian governments were invited to present their views. The Colombian representatives declined the invitation.

## **Panel # 1: Challenges and Opportunities for Peace in Colombia**

The first panel discussed the steps that should take place in Colombia to move towards a lasting peace. The participants set out to describe the current status of the conflict. They argued that the last six years have not necessarily seen the promotion of peace, but a rearrangement of the dynamics of the conflict, re-accommodation of actors, and an ever-worsening of the impact on the civilian population.

The FARC has been weakened after the deaths of Raúl Reyes, Manuel Marulanda, and Iván Ríos. The Fuerzas Armadas Revolucionarias de Colombia (FARC: Revolutionary Armed Forces of Colombia) is now led by a cadre of urban intellectuals who have expressed a disposition for peace that has not been acknowledged by the government. Even though the FARC is not politically representative of the Colombian people, but it is still a key actor in the conflict and must be part of a negotiations process.

The leadership of the Ejército de Liberación Nacional (ELN: National Liberation Army) remains intact. The negotiations that took place in Havana last year have been bogged down. The ELN is avoiding confrontation, but maintains its presence in more than 20 departments.

Paramilitarism has permeated key parts of the government structure. A demobilization process with the Autodefensas Unidas de Colombia (AUC: United Self-Defense Forces of Colombia) has gone forward with little input from civil society and with contradictory results. Moreover, there has been a rearming of a third generation of paramilitary factions intertwined with drug-trafficking, such as the Águilas Negras and Organización Nueva Generación. The judicial process by which the demobilized paramilitaries were confessing to their crimes suffered a major setback with the extradition of 14 top paramilitary leaders to the United States in the first half of 2008.

Nevertheless, the judicial system has been working in Colombia, as evidenced by some of the investigations being carried out, which have revealed ties between some politicians and paramilitary organizations. More than 23 politicians are in jail and more than 50 are facing preliminary investigations. Still, sanctions for human rights violations have been minimal and the process has not favored the victims, who obtain only as much truth as the paramilitaries provide, and little to no reparation. Impunity remains alarmingly high in Colombia and there seems to be reluctance on the part of the executive to provide more money for forensic investigations, some of which implicate state agents.

Legislation that favors the victims is currently stalled in the Colombian Congress

because the administration believes making reparations to all the victims will be a major financial burden. Reparations should begin with the internally displaced (indeed, this is a constitutional obligation), and the victims of state actors, who are not recognized as such.

The government has made military gains. Nonetheless, cases such as the “false-positives” have tended to delegitimize the official military forces and call into question the casualty-driven incentive structure of the Army, which has been supported by Plan Colombia. Some also expressed concern about the imbalance among branches of government due to the re-election of the president and the attacks by the executive branch on the justice system, which do not contribute to a scenario of peace.

It will fall to the Colombians to bring about an environment favorable to peace-seeking efforts. Other countries, particularly the United States, Europe and other countries in the region, can assist in such initiatives. Intermediaries need recognition and protection in order to be effective.

An agenda should address the following groups and issues: guerrillas, civil society, displaced persons, resurgent paramilitaries, indigenous groups, Afro-Colombians, women, agrarian reform, child soldiers, kidnapping, and anti-personnel mines. Future cooperation should have a core human rights component and safeguard democracy.

There was discussion about whether a humanitarian agreement may or may not be possible at this stage. In any event the guerrillas should release all kidnapped persons and suspend this practice, which constitutes a grave breach of international humanitarian law. Humanitarian action -- including the release of civilian and military personnel who have been kidnapped or taken in combat, a commitment to end the recruitment of child soldiers and stop anti-personnel mining, and ultimately the cessation of hostility--should be taken,

Participants noted the need for a negotiated outcome to the conflict, but underscored that this will not happen if the Colombian government continues to deny that there is an armed conflict. Recognizing the armed conflict does not necessarily mean according belligerence status to the guerrillas or admitting that they have broad political representation. Rather, acknowledging the conflict is a necessary first step to the conflict’s resolution.

Participants discussed the role of external actors in a conflict resolution and peace verification process. The countries in the Andean Region, beginning with Venezuela and Ecuador, are deeply interested in promoting peace in Colombia because it directly affects them. President Ch-vez remains a valid intermediary, but

sparks a negative response from the Colombian Government. The conflict has deep implications for the region: border security, illegal armed actors, political and economic integration, and refugees are some of the more salient issues. A Colombian peace initiative, with leadership from Brazil, could be included in the agenda of Union de Naciones Suramericanas (UNASUR: Union of South American Nations). Other actors, including member countries of the European Union, the United Nations (UN), the Organization of American States (OAS) and the International Criminal Court (ICC), could also be involved.

As for the new U.S. administration, some participants recalled that the only statement by President Obama during his campaign with regard to Western hemisphere affairs was the very substantive speech given before the Cuban American National Foundation and the specific mention of Colombia in one of the debates with Senator McCain. President Obama has proposed a New Partnership xx(e) in our hemisphere, and the tone of his discourse is reminiscent of President Roosevelt and the “good neighbor policy” and President Kennedy and the “Alliance for Progress”.

If Colombians want outside support for promoting peace, civil society organizations should present proposals pulled together in a single document, and present that document to the governments of Colombia, the United States, the European Union and Latin America. Such a document should make specific recommendations and set forth priorities for action.

The document might address the following issues:

1. Recognize the existence of an armed conflict in Colombia and why recognition of an internal armed conflict is important;
2. Recognize that combatant groups are not representative of Colombian society as a whole;
3. There is need a need for a negotiated outcome to the conflict
4. Include potential intermediaries and the role of civil society groups and external actors (i.e. governments, international organizations, and political parties) in negotiation talks
5. Concrete mechanisms to promote and protect human rights and democracy in Colombia;
6. Ways to strengthen the role of the judiciary in sorting out the truth and meting out justice; and the possibility to create a truth commission;
7. An evaluation of Plan Colombia and how it impacts the conflict and possibilities for the conflict’s transformation or intensification.
8. An evaluation of the impact of U.S. drug policies and fumigation on the conflict.

9. How the United States might support policies that favor the delivery of justice, peace, and reparations, especially for the victims of the conflict;
10. How, regional, extra-regional, and multilateral actors might help to advance a peace agenda;
11. Reconvene the group in Bogotá within six months to assess progress.

## **Luncheon**

The luncheon speaker, a U.S. government official, presented the participants an official view on Colombia policy, and then took questions. The Colombian Embassy in Washington was invited, but declined to participate. The conversation reflected the strong support the Uribe administration has received from the U.S. government. He noted that the United States has been a strong ally of the Colombian people and has worked with them to face the country's security challenges. However, there are outstanding social issues – human rights, social justice and economic exclusion – that need to be addressed. By helping Colombia address security challenges, the U.S. has provided a basis for Colombia's economy to thrive and helped the country begin to lift itself out of poverty.

The United States has supported negotiations with the armed actors, such as the Pastrana administration negotiations with the FARC and more recently the negotiations with the paramilitaries. However, the U.S. will only support such negotiations that reflect the will of the Colombian people. Some issues like presidential elections and other matters of domestic politics should be left for the Colombians to resolve on their own.

Support for greater security and economic prosperity is a priority for the United States Government. The goal is to achieve “democratic security” without threats and a U.S.-Colombia Free Trade Agreement (FTA) that facilitates growth and access to the U.S. market. If FTAs had all the negative externalities that opponents claim, unemployment in partner countries would have increased, yet it has not.

Human rights and democracy are key concerns for the United States. The government has no tolerance for extrajudicial killings: the U.S. has withdrawn aid from brigades and units that have been involved in these types of activities, making 15% of the Colombian military ineligible for U.S. aid.

Finally, the trends in Colombia must be looked at over the past 10 to 20 years, and those trends indicate that there has been a marked improvement. U.S. assistance has made a big difference and U.S. engagement in Colombia is much better than disengagement. There are still unresolved issues. For example, drug trafficking and judicial cooperation with Colombia on the extradited paramilitaries are priorities for the Department of State and the U.S. Government as a whole.

## **Panel #2: War and Peace in Colombia: The Role of the United States**

The afternoon panel included brief presentations by legislative aides to Democratic and Republican members of Congress, along with Washington policy analysts who have been monitoring U.S. policy towards Latin America for years.

They concurred that Latin America is not the top foreign policy priority of the United States, especially given the current financial crisis and pressing foreign policy concerns in Iraq, Afghanistan, India, and Pakistan. The plethora of other priorities could mean that the budget allocation for Colombia will be lower.

There are two approaches in Congress towards Colombia, a more security-focused approach and a more human rights and development-focused approach. While there have been security gains, concerns about the killings of unionists made their way into the recent presidential campaign. There was discussion about Plan Colombia and whether it has been as successful as the Colombian and U.S. administrations claim. A 2008 Government Accountability Office report says that Plan Colombia failed to meet its goals of eradicating illegal crops, but at the same time that it has strengthened some institutions and the rule of law in Colombia.

A number of policy recommendations were discussed:

The U.S. could send a clear message by immediately closing the Guantanamo Bay prison, and taking a strong stance against torture. Such measures would resonate throughout Latin America and the world.

The United States should listen closely to Colombians who are seeking peace and working to protect and promote human rights. Future cooperation should have a core human rights component.

The U.S. should monitor the aid it sends to Colombia and measure the impact that the aid has on the ground. Some participants argued that U.S. aid does not go into the hands of the communities but rather to large groups of elites who get rich in projects like palm oil that have negative externalities for local communities (including Afro-Colombians and indigenous populations) and the environment.

The U.S. should place much greater emphasis on poverty alleviation because widespread rural poverty is a catalyst for conflict, especially in regions with considerable drug-trafficking activity. Moreover, the U.S. and Colombian elites should recognize the role of the U.S. demand for drugs in perpetuating the conflict and should modify anti-drug policies to target domestic (U.S.) drug consumption. Furthermore, there must be no tolerance for military abuses or alliances between

state actors and illegal actors, including drug-traffickers, guerrillas and paramilitaries.

While many participants stressed the importance of U.S. engagement with Colombia's quest for peace and noted the occasional successes it had achieved (with the recent dismissal of Army officials involved in the "false positives,") some argued that the U.S. does not have the leverage it had eight years ago: In 2000, U.S. resources represented 1/6<sup>th</sup> of the Colombian military budget, whereas today, U.S. resources represent 1/28<sup>th</sup> of that budget.

The United States nonetheless could be key in supporting the idea of intermediaries who offer good offices and mediation with the FARC and other groups. These could include religious leaders, Latin American governments, notable citizens, the United Nations and the Organization of American States.

The United States should support not only peacemaking, but also peace-building. It should include human rights and democracy as the core of any future plan. There were strong beliefs expressed that peace in Colombia needs to be consolidated by peaceful means, not through military operations.

Participants noted that the U.S. government has appointed study groups, commissions and special envoys for any number of issues, and suggested that a new administration consider such an initiative to re-examine the U.S. role in Colombia and the possibilities for promoting peace.

## **Conclusion and Next Steps**

Colombia policy is at a crossroads given the transition in the United States. Europe is also discussing what it would take to bring peace in Colombia. There is a need for a new Colombia policy in the new Obama administration that reflects the concerns not just of the Colombian government but also of civil society. A central component of such a policy should be the promotion of human rights and democracy, along with a reevaluation of Plan Colombia, its achievements, and its limitations and an analysis of the impact of a Free Trade Agreement on prospects for sustainable peace in Colombia.

The U.S. will have a unique opportunity at the upcoming Summit of the Americas in April 2009 to discuss with other government, multilateral actors, and civil society actors the best approach for contributing to a solution to the Colombian conflict.

Colombian civil society participants present agreed to reconvene in Bogotá, to solicit feedback from their organizations and other civil society organizations not



present at the meeting, and to draw up a policy paper that would outline in greater detail some of the ideas that emerged in the discussion. Such a document could provide a roadmap for U.S. policymakers wishing to contribute to a peaceful resolution of the Colombian conflict.

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