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Cautious Optimism for Peace in Colombia

Summary

- The new Colombian administration that took office in early August faces a unique set of peacemaking challenges and opportunities related to the country's internal armed conflict.
- Following a spate of tensions with neighboring countries regarding the presence of illegal armed groups along Colombia's border areas, newly-inaugurated President Juan Manuel Santos moved quickly to create new mechanisms with his neighbors to ensure that contentious regional issues are addressed before they reach the boiling point.
- In a surprising video released just before the president-elect was inaugurated, the top leader of the Colombian Revolutionary Armed Forces-People's Army (FARC-EP), called on Santos to enter a dialogue without preconditions, thereby opening a new window of opportunities to pursue peace.
- President Santos responded that "the door to dialogue is not locked," insisting however that the guerrillas must lay down their weapons and meet a series of other pre-conditions before talks could occur. Former mediators differ over whether such preconditions will pose an obstacle to talks.
- In the final days of August, Brazil and Ecuador rejected a FARC-EP request for meeting with the Union of South American Nations (UNASUR) to discuss a political solution to Colombia's conflict. UNASUR leaders said they would not engage in mediating the conflict in the absence of an express invitation from the Colombian government. The Colombian government has rejected UNASUR mediation and underscored its preference to negotiate directly with the FARC-EP once the latter meets the government's preconditions.
- Concrete good faith efforts—both public and private—will be required from the government and the guerrillas to build confidence, address the legacy of distrust created by decades of violence and set the stage for future talks.

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Introduction

On August 7, 2010, Juan Manuel Santos, a defense minister under the outgoing administration of President Alvaro Uribe, was inaugurated as Colombia's new president. Peace issues were largely absent from public debate during the presidential campaign, but unexpectedly surfaced in the final weeks of President Uribe's incumbency.

Regional Tensions Escalate

First, tensions in the region abruptly came to a head when Colombia brought a complaint against Venezuela at the Organization of American States (OAS). At a special session of the OAS Permanent Council on July 22, 2010, Colombian Ambassador to the OAS Luis Alfonso Hoyos charged that some 1,500 Colombian guerrillas were living in 75 camps across the border in Venezuela, that these groups are responsible for attacks in Venezuelan and Colombian territories, and that the Venezuelan government is failing to meet its international commitment to combat narcoterrorism. Venezuelan Ambassador to the OAS Roy Chaderton Matos dismissed the charges as untrue, and rejected Hoyos's call for an international verification commission. That same afternoon, Venezuela's President Hugo Chavez severed relations with Colombia, alerted his troops to go to the border, and called on Colombia to resolve the internal armed conflict that was spilling over its borders.

Pressures between Andean countries have been mounting with periodic eruptions since 2008, when the Colombians bombed a guerrilla camp in Ecuador, killing FARC-EP leader Raul Reyes and two dozen others, and prompting Ecuador to break relations with Colombia. Last year's bilateral military agreement between Colombia and the United States, which authorized U.S. access to numerous Colombian military bases as well as the U.S. to carry out "full spectrum military operations" in the hemisphere, added to the regional angst, and prompted Venezuela to break relations with Colombia in August 2009.

The recent charges at the OAS prompted the hemisphere's leaders to engage in intensive shuttle diplomacy with the outgoing and incoming Colombian administrations. Picking up on Venezuela's lead, Latin American presidents and foreign ministers united in calling on the Colombian government and the guerrillas to seek a political solution to Colombia's internal armed conflict. In the run-up to a meeting of the UNASUR foreign ministers on July 29, Venezuelan Foreign Minister Nicolas Maduro proposed a peace plan to end Colombia's conflict, but it was rejected by the outgoing Colombian administration and never surfaced for broader consideration.

President-elect Santos's invitations to President Chavez and Ecuador's President Rafael Correa to attend his inauguration on August 7th were important symbolic gestures of a desired rapprochement. Santos's appointment of Maria Angela Holguin, a well-respected former ambassador to Venezuela, as his foreign minister underscored his interest in pursuing a less confrontational course in foreign affairs than his predecessor. Santos took advantage of his inaugural festivities to consult with hemispheric heads of state and to establish joint mechanisms for addressing border issues, including binational working groups on social and economic investment, security and infrastructure.

FARC-EP Head Calls for Dialogue

In the flurry of politicking surrounding the border tensions and the presidential inauguration, the FARC-EP released a 36-minute video in late July in which the FARC-EP's top leader, Guillermo Leon Saenz (aka Alfonso Cano), called on President-elect Santos to engage in a dialogue for a political solution to Colombia's internal armed conflict. Few seemed to notice the proverbial white flag being waved, and many felt that Cano's call for dialogue was self-serving. In the final weeks of President Uribe's administration, government forces had killed a dozen members of Cano's inner security ring, and seemed to be closing in on Cano. Cano's video, like the "proof of life" videos released periodically by the FARC-EP, confirmed that he was still alive, and that "the confrontation continues."¹

In the video, Cano laid out a five-point agenda for his proposed dialogue that included the U.S.-Colombia military base agreement, human rights and international humanitarian law, agrarian

reforms, economic reforms and political reforms. He dropped the two main sticking points from past overtures—the creation of a demilitarized zone and a prisoner exchange. Cano's call to discuss human rights and international humanitarian law is new and noteworthy, and could open productive avenues for substantive agreements.

The FARC-EP's remaining agenda items, particularly agrarian reform, are already on the new administration's docket. President Santos on September 2 launched a land reform bill, which he called "the best program for peace." Indeed, Colombia is in desperate need of economic and political reforms, with one of the most highly skewed income distribution rates in the world, high unemployment and nearly half of its population living below the poverty level.

Finally, the military base agreement with the United States, another of the proposed issues for discussion with the FARC-EP, may become a moot point given a recent finding by Colombia's Constitutional Court that the accord is unconstitutional in the absence of congressional approval. Indications are that the bilateral base agreement may die a natural death.

The New Administration Responds

The administration's public response to Cano's call for dialogue has been measured. In his inaugural address, President Santos announced that "the door to dialogue is not locked," but reiterated that the war would continue to be prosecuted at full throttle as long as illegal armed groups engage in "kidnapping, narco trafficking, extortion, and intimidation," and as long as they "continue to commit terrorist acts, ... don't return the forcibly recruited child-soldiers, and ... continue to mine and contaminate the Colombian countryside."

In an interview, Vice President-elect Angelino Garzon told the author that for talks to happen, the FARC-EP must first agree to release all kidnap victims and child soldiers, end the practice of kidnapping, end all acts of terrorism including the use of landmines, and express a clear public commitment to reaching an agreement.

An editorial on the FARC-EP Web site notes that the government's demand that they demobilize and give up their struggle ignores their invitation for dialogue, and offers them nothing in return. In late August, the FARC-EP moved to seek additional interlocutors. On August 23, the FARC-EP Secretariat solicited a meeting to bring their case before UNASUR. A week later, Ecuador, as pro-tempore chair of UNASUR, and Brazil rejected the FARC-EP invitation, and made it clear that they would not mediate without the express invitation of the Colombian government. The Colombian government has made clear its preferences to negotiate directly with the FARC-EP—without intermediaries—once the insurgents meet the government's preconditions.

Challenges Ahead

Author interviews with former mediators explored the prospects for dialogue and the challenges ahead. Issues of timing, style, and clarity are key in establishing the conditions for dialogue, some mediators suggested. Before talks can occur, measures must be taken to build confidence, to discuss and establish preconditions for further steps, to consider mechanisms for implementation and verification, and to develop the political will needed to end the conflict. Right now, trust for such agreements does not exist between the government and the guerrillas, and it may be unrealistic to expect any agreement before any dialogue begins. The government's preconditions themselves are rather extensive, and change slightly with each iteration. Implementation and accountability are unspecified. Finally, the general nature of the conditions leaves plenty of room for spoilers to derail the process before it begins.

The government's preconditions could be a deal breaker. Former negotiator Jose Noe Rios—a long-time labor negotiator and former undersecretary of labor who was involved in successful peace talks with many of Colombia's guerrilla groups—met with Cano dozens of times, and lived with the FARC-EP leader and his family when he served as a peace commissioner some 20 years ago. Noe is persuaded that the FARC-EP today are seeking a dignified way out of the conflict, but he believes that establishing preconditions poses an insurmountable obstacle to peace. "The conditions need to be put out on the negotiating table, not in the newspaper," Noe told the author.

Magdala Velazquez, a member of the National Peace Council who participated in peace negotiations with the FARC-EP under former President Andres Pastrana, was more optimistic. "New horizons for peace are opening up. This is a new era—and the [Santos] team can propose opportunities for peace," she said in an interview. Acknowledging that the negotiating table is an important tool for peace and for war, Velazquez observed, "That is where the war is won."

Senator Piedad Cordoba, who has facilitated the FARC-EP's unilateral releases of more than a dozen hostages in the past two years, is also optimistic that a long-sought opening is at hand, in part due to the ongoing confidence-building efforts of the civil society initiative, *Colombianos y Colombianas por la Paz*, which has been engaging the FARC-EP and the smaller National Liberation Army (ELN) guerrillas in an "epistolary exchange" for the last two years to humanize the war.

"What we are seeing from Cano now is not 'spontaneous generation,'" Cordoba told the author. "The FARC have made a decision to throw themselves into a peace process," she said. One of her advisers noted, "There is a process underway and we are right in the middle of it."

A New Opportunity for Peace?

FARC-EP leaders have repeatedly signaled their interest—both through their statements and the unilateral releases of hostages—in coming to the peace table, all the while continuing to engage in a seemingly interminable war. Late last year, the Secretariat of the FARC-EP joined forces with the Central Command of ELN and underscored their hopes that a "political solution might be able to stop the war, find peace and make possible the construction of a New Colombia that includes us in the definition of its destiny."

Ongoing violence makes it difficult for Colombia's political leaders to embrace the offer of dialogue. Colombia remains deeply divided between those who favor a negotiated solution and those who favor a military solution. The failed peace talks at Caguan under President Andres Pastrana (1998-2002) bolstered support for subsequent military approaches and in effect discredited political solutions. For the past eight years, it has been difficult to discuss or even consider peace—much less negotiating with insurgents—without prompting intimidation and persecution. The new Interior Minister's recent promise, as stated in *Semana* on August 17, 2010, that the government will not return to the practice of calling the opposition "terrorists" is a step in the right direction, and may open possibilities for beginning to talk about peace.

Vice President-elect Garzon said in an interview that Caguan showed that dialogue could not take place "in the middle of conflict or in a demilitarized zone (*despeje*)." Accordingly, President Santos has publicly rejected naming a High Commissioner for Peace until the guerrillas lay down their arms, and has moved to curtail the legal faculties for establishing demilitarized zones in which peace talks with illegal armed groups can take place.

There is an opportunity now to forge a new path, but process is key. Currently, there are no agreements for a ceasefire; there is simply an offer to talk. Preconditions may well be established as part of the process, but setting so many major conditions before getting to the table may preclude

ABOUT THIS BRIEF

This brief was authored by Dr. Virginia M. Bouvier, senior program officer in the Center for Mediation and Conflict Resolution at USIP and author of "Colombia: Building Peace in a Time of War." It is based on interviews she conducted during a visit to Colombia from July 28 through August 7, 2010.

the possibility of dialogue. On the other hand, they may also serve as part of a political strategy designed to put pressure on the guerrillas.

It will take bold leadership from the new Colombian administration to open channels of communication, to build confidence to speak about peace, to acknowledge the errors of the past, and to create mechanisms for addressing the issues that gave rise to and perpetuate violence in Colombia. It will take bold leadership from the guerrillas to seek change through nonviolent avenues and to recognize the profound wounds that they have inflicted on Colombian society. Concrete good faith gestures from both the government and the guerrillas can provide leaders with the political cover they will need to engage with the other side, and can help set the stage for future talks.

Peace today will nonetheless need to involve more than an accord between armed actors. It will take considerable effort to persuade a skeptical public of the potential short- and long-term benefits of dialogue. Civil society leaders, who have long been searching for a path to peace, should ensure that the dialogue is well-informed by the broader peace agenda. The international community can assist by taking these inchoate efforts for peace seriously, continuing to protect and defend human rights workers, and by encouraging the new Santos administration to do the same. The U.S. government can reevaluate how its policies and resources might better promote a peaceful resolution to the conflict in Colombia. For now, a window has been opened, a new administration is at the helm, and talking about peace in Colombia appears to be possible once again.

Endnote

1. "Conversemos' le dice 'Cano' al Nuevo Gobierno." *El Tiempo*, July 31, 2010.



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