



The ongoing quest for peace in Colombia

Case study for the Principles for Peace Initiative 2022

Executive Summary

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Key findings and main takeaways

While Colombia has faced a long history of armed conflict and political violence, it has also built a decades-long experience. This is the experience of mobilisation, collective action and associations and initiatives for peace, dialogue, human rights, democracy, diversity and coexistence.

This case study takes stock of this multifaceted history to examine the root causes and drivers of conflict and peace. On the one hand, it analyses the successive cycles of political violence through which the Colombian nation-state has been shaped. On the other hand, it analyses the main drivers and actors that have influenced the search for peace, which were founded in the 2016 Peace Agreement and its current implementation.

The quest for peace remains a dynamic and open-ended process; the challenges remain immense. However, Colombia has learned from its experience and can provide insights relevant to other countries transitioning from violent conflict to peace.

Cycles of political violence and configuration of the nation-state until today

To understand the context, it is necessary to review the historical expressions of the various cycles of violence in Colombia over the past 500 years. Additional emphasis is placed on the last few decades, which looks at the actors and logics of power that have driven political violence and the resulting war economies. The review begins with the pre-colonial and colonial times followed by independence. Then outlined is the republican stage since the early 19th century and ending with the last 70 years. This latter analysis focuses on the period of '*La Violencia*', the '*Frente Nacional*', the revolutionary struggle waged by guerrillas and the reaction of the state and the political and territorial elites, often with the support of illegal paramilitary actors. Finally, it describes, since the 1980s, how violence has found new fuel with the growing influence of drug trafficking. Small and big drug cartels and related criminal gangs – as emerging power actors – have been able to intertwine with the rest of the state, society and illegal armed actors. These changes have been a new twist to the cycles of violence in Colombia and making the quest for peace an even more daunting task.

To date in Colombia, processes of political change have been fundamentally violent. Various political actors have used and justified the use of violence at various points in history to promote change and political transformation or to protect the status quo. The feedback loops of action/reaction between these antagonistic political forces in the framework of power struggles have generated several cycles of violence. Nevertheless, in none of these cycles did the actors succeed in fully achieving the objectives they used as justification. On the contrary, beyond its formal expression guaranteeing equal rights, there has been no consolidated nation-state throughout the national territory. Violence has weakened the state's democratic capacity to exercise its authority and provide goods and services equitably throughout the country.

Moreover, violence has acquired its own dynamics beyond political violence. There are now new forms of hybrid violence with political, socio-economic and criminal elements that have deepened political, economic and territorial inequalities. For example, the counter-subversive violence of paramilitarism, the criminal violence associated with illegal economies, or the violence associated with local conflicts where the law of the strongest prevails.

Despite various waves of political and democratic reforms over the last 40 years, these have not been able to put an end to structural factors that leave important social sectors marginalised. Further continuing are the driving forces that make violence an economic option for sustaining the interests and privileges of local and national power elites, including those that lead the various armed options – legal and illegal – in the country. There seems to be no end in sight to the political violence. The degradation of violence and its macabre repertoire of expressions has exponentially increased the number of victims and made it increasingly difficult to justify on either moral or utilitarian grounds.

These cycles of political and hybrid violence have been one of the driving forces behind the shaping of the Colombian nation-state as we know it today. This phenomenon is not unique to Colombia and has characterised all state-building processes in the world. The significant difference between Colombia and European nation-states, however, is that the process of shaping the nation-state in Colombia is still incomplete; Colombia has not managed to effectively consolidate the rule of law throughout the territory.

The Colombian state does not yet have the capacity to effectively control and govern a large part of its territory, especially in border areas and in less populated territories rich in natural resources. In these territories, the state does not provide goods and services equally to all its citizens. Moreover, it does not guarantee or protect human rights for its entire population. The presence of the state in many territories is insufficient and fragmented resulting in weak or absent institutions necessary to guarantee minimum access to justice, the creation of citizenship or the protection of the most basic human rights vis-à-vis other sources of power and authority.

In these peripheries, different political and armed actors, both legal and illegal, compete among themselves and against the state to become hegemonic through the control of political, economic or social power sources and territorial control over the population. In practice, political and social relations are not only regulated through institutional, community-based and democratic channels, but are intertwined with other local forms of non-democratic governance, 'shadow government' and coercive influence.

Concerning the broad range of actors, there are those aiming to capture the state and those who fight against it, there are de facto powers that are the expression of complex clientelist networks formed by social, economic and political elites at the local and national levels. These have a great capacity for control and influence over various state powers and take advantage of public resources to protect their private interests and privileges. Moreover, there are various types of armed actors (such as guerrillas, paramilitaries, drug traffickers, criminal gangs) who exercise territorial power and coercion through violence as part of their political and military strategy, territorial control and control of illegal economies. Through the dynamics of capturing the state or fighting against it, they configure diverse networks of authority, power, territorial control, resistance and rebellion. These networks take different forms depending on the history of each territory, the dynamics of settlement and the configuration of its local power actors vis-à-vis political, ecological, economic and community dynamics. In these territories, with their specific characteristics, power is not imposed by brute force alone. Power actors are able to impose their logics through coercion, clientelism, co-optation of the state and/or partial provision of public goods that the state is unable to provide effectively.

The combination of coercion and the ability to provide effective services, goods and a certain level of 'order' to the population makes the 'real' political authority of these actors more recognizable in the eyes of the local population than the 'formal' political authority of the state. Nevertheless, 'authority' is fragile and violence is exacerbated when these actors clash over control of territorial and sources of power. The arrival of drug trafficking in the 1980s has further intensified violence to extreme levels.

In the midst of these complex networks and webs of power based on implicit or explicit violence and coercion, local communities are under pressure to adapt and submit to the power brokers. Despite these pressures, they seek innovative ways to resist these logics and explore possibilities for building peace through social mobilisation and alliances with other local, national and international actors and networks with similar aspirations. The decades-long search for peace in Colombia emerged from these seeds of resistance, organisation and social mobilisation.

Colombia's quest for peace

Subsequently, this report examines how Colombia is seeking to end this long history of political violence and to consolidate its nation-state and social rule of law, especially since the 1980s.

In the midst of armed conflict, Colombia's citizens have explored new ways of resisting violence and seeking peace. It includes a broad set of community, social, political and institutional efforts to consolidate peace and overcome cycles of violence. The push for peace has also been crossed and enriched by a series of demands and agendas related to human rights, inclusion, gender equality, democratic opening and deepening, and the integration of the most impoverished populations and territories in dynamics of human development, good living and social equity and justice

Peace has become one of the most visible national goals. Nevertheless, there is still a long way to go in uniting the whole country around this commitment. Currently, there are strong tensions about how to achieve, build and consolidate it. Despite these contradictions, peace as a political ideal and social aspiration has become one of the main motors of political change in Colombia. It connects the aspirations of communities that have suffered repeated armed conflict and violence with policies and institutions at the national level that respect and seek to develop the rule of law. In this quest, Colombia today has an interlinked set of actors, organisations, platforms, meeting spaces, institutions and policies. They have created a real basis for peace allowing actors, who reject violence in the communities, civil society and state institutions, to lead their peacebuilding processes, without being dependent on or subjugated to armed actors. It is a solid example of a local-national peace infrastructure.

The great challenge for peace in Colombia is simply to **consolidate the nation state without violence**, rejecting and removing from the equation the systematic use of political violence as a means. The challenge is still enormous, but Colombia's quest

– with its advances, lessons learned and pending challenges – is an example for other countries in the transition from conflict to peace.

The report then turns to the various paths of transformation that have shaped the main drivers of this quest for peace. On the one hand, it describes local and civil society-led efforts such as community initiatives of resistance to violence and active non-violence throughout the country and the sustained efforts of social mobilisation for peace and human rights. These latter efforts include a sophisticated exercise in strategic litigation to bring the state to fulfil its responsibilities as guarantor, protector, and promoter of rights, and the mobilisation and participatory design of inclusive peace agendas by historically excluded social sectors such as women and ethnic groups.

On the other hand, it describes efforts led by institutions and various branches of the state within the framework of political and electoral representation. These include a long legacy of formal peace processes since the 1980s, one of the most solid peace and transitional justice infrastructure in the world, the design and implementation of programmes and platforms for development and peace. These have been achieved with a territorial approach or with a gender and feminist focus. Led by the Colombian society, the international community has accompanied these efforts seeking a better articulation between these dynamics to advance collective impacts.

The search for peace in Colombia has ultimately been driven by Colombian society based on the realisation that violence was not achieving fundamental changes. The use of violence was increasingly difficult to justify in the face of the millions of victims, the degradation of violence and its capacity to take on uncontrollable dynamics. Additionally, the development of global normative frameworks for human rights, international humanitarian law and the right to peace made the use of violence more untenable.

Innovations in the peace process between the government and FARC

Building on this, the report analyses the peace process between the Colombian Government and the FARC guerrilla, which was signed in 2016. This comprehensive peace agreement was signed after five years of increasingly inclusive negotiations. The peace agreement is a crowning, but not final, moment in Colombia's four-decade quest for peace. Further it analyses is the most innovative elements of this process and the resulting agreement. Presented is a brief assessment of the implementation, wondering whether Colombia has reached the stage of peace consolidation, or if it is entering a new cycle of violence.

Analysts and observers have found the peace process and the resulting agreement to be innovative in many respects.

Solid peace process design and negotiation framework: Clear rules for negotiation were established that included a distinction between ending the armed conflict (a responsibility of the state and the armed actors) and building sustainable peace (a participatory process that called for a whole-of-society approach).

Recognition of root causes and driving factors of the conflict: This included commitments related to addressing the root causes of the armed conflict (i.e. access to land or quality of democracy) and to tackle the driving factors or triggers of the armed conflict (i.e. the problem of illicit drugs).

Recognition and centrality of victims in the negotiation and the post-agreement peacebuilding phase: The agreement developed one of the most sophisticated and comprehensive transitional justice systems in the world through which the parties to the armed conflict agreed to be held accountable for their crimes. This was achieved through a robust and comprehensive package including justice, truth and individual and collective reparation mechanisms to manage victims' accumulated pain and trauma. It established an accountability mechanism for those who committed war crimes and crimes against humanity, facilitate healing and advancing the creation for the conditions for reconciliation.

Incremental inclusivity: The negotiation process was initially quite closed, with few spaces for participation beyond the government and FARC delegations. However, due to combined pressure from Colombian society and the international community, the main parties opened up spaces for social inclusion and participation during the

negotiation process. This incremental approach was innovative and managed to balance the tension between inclusion and efficacy of decision-making by the parties.

Citizen participation for implementing the agreement: Beyond the fora and spaces for civil society participation in Havana, the agreement mainstreamed citizens' participation in the implementation of the peace agreement in all its areas and commitments.

Guarantees and safeguards for implementation: The parties gave due importance to the implementation process beyond the achievement of a peace deal. They developed in detail various legal and constitutional reforms, mechanisms and guarantees – including international accompaniment – for the implementation of its provisions.

Peace and human rights as two sides of the same coin: The agreement considers peace both as a human right in itself and a prerequisite for all other human rights. The implementation of the peace agreement contributes to reinforce the synergy between the protection, guarantee and promotion of human rights and the construction of peace and its sustainability. This complementarity is reflected as a cross-cutting theme and an interpretative lens throughout the entire agreement. This complementarity makes the defence, guarantee and protection of human rights, both for the state and society, one of the ends of peace. This relationship, together with the other innovations, means that civil society, including frontline human rights organisations, social leaders, victims and survivors, ethnic communities and peasants, are at the centre of the peace process and are not mere spectators of a pact led by elites and armed actors.

Guarantees for non-repetition: Each of these innovations is important in itself, moreover, when articulated together, they generate an added value that should be highlighted. By reinforcing each other, they aspire to create a transformative peace agreement that lays the foundations and guarantees for non-repetition and the development of a culture of human rights in Colombia.

Finally, it is important to note that these resounding innovations predominately arose, over recent decades, from everyday peace practices of the unarmed rather than the aspirations, interests and maximalism of the elites who negotiate peace on behalf of everyone. The meeting point where the

government and the FARC found specific solutions to the various dimensions of the armed conflict

was by returning to previously ignored proposals and ideas experienced by Colombian society.

Progress in the implementation

Measuring and speculating on the longer-term impact of peace agreements on breaking cycles of violence is always a difficult task. The peace process has been one of the most serious efforts to build and consolidate peace and to break the cycles of political violence in Colombia. The peace process was innovative and inclusive. It has combined both top-down approaches (through normative, institutional and public policy adjustments to build peace) with bottom-up approaches (through the participation of society in the peacebuilding process and territorial peace approach). It has also developed one of the most advanced systems of transitional justice that achieves, perhaps for the first time in history, a balance between the needs for peace, justice, truth, reparation, guarantees of non-repetition and transformation of the root causes and drivers of the armed conflict.

However, during the consultation process conducted for this report, major challenges and blockages to a sustainable peace were also identified. These include and are not limited to

the following six challenges. First, the resistance from some elites to address robustly the structural causes of the armed conflict, including access to land. Second, the 'legitimacy deficit' created by a negotiation where the main decision makers and gatekeepers were the armed actors. Third, the resistance to peace from other armed actors including the ELN guerrilla, armed dissidents and criminal gangs. Fourth, the strength of illegal economies, in particular drug trafficking, which have both a devastating and corrupting effect in peacebuilding at all levels – locally, nationally and internationally. Fifth, the incapacity of the state to consolidate the rule of law, the social state and protect communities in several regions in Colombia. Finally, despite the innovations of the agreement, its implementation to date remains dominated by the bureaucratic, top-down approach through which the state understands its peacebuilding responsibility, while dismissing community-driven efforts for a more bottom-up, legitimacy-orientated peacebuilding dynamic.

Conclusions and recommendations

Finally, the report summarises the main conclusions from the consultation process. Based on the participants' visions for peace in Colombia, their assessment of the main obstacles to achieving peace and their concrete hopes and aspirations for further progress, seven key messages sound out from the Colombian experience. These are presented for local, national and international peacebuilders in other conflict-affected contexts. These main takeaways are:

1. Peace is not a quick fix; it is a process of creating and sustaining legitimacy

Peacebuilding and peace consolidation in Colombia is a multi-generational process that does not stop at a single agreement or peace process between armed actors. At various levels, with strong leadership from society, transitions must take place in the political, economic, social, cultural and security spheres. This allows violence to be removed from the exercise of politics. This process is neither linear nor necessarily quick. Peace can never be perfect; it requires a sustained and ethical commitment to constantly adapt and refine it.

Peace also encounters many obstacles from actors who see peace as the possibility of losing power and privilege. Peace, in this sense, is a process from the local level through which to build, consolidate and constantly re-legitimise the social contract focusing on the relationship between citizens and political authority and, thereby, promotes a legitimate, democratic and effective state in the eyes of its citizens.

2. The driver of peace is endogenous while being reflected in international normative frameworks

The drivers of peace connect various endogenous processes that often have international normative frameworks as a reference such as human rights, right to peace, human development and human security. These endogenous processes are led by local actors who promote political, institutional, social and cultural changes and place human rights, especially the right to life, at the centre of the transformative agenda for peace. It has community expressions such as exercising civil resistance against war and violence or social mobilisation for

peace, human rights and democracy. It also has institutional and political expressions such as peace accords and agreements between the state and armed actors or constitutional adjustments and reforms. Peace must be finding its richest version in contextualised hybrid processes that bring together the best of local capacity to lead peace and resist violence with the best of international human rights and protection frameworks.

3. The whole is more than the sum of its parts: multi-dimensional transitions

Colombia's multi-dimensional understanding of peace shows that peace is not built all at once. It is the result of multiple and intertwined efforts to build it by a wide range of actors using over 40 years of diverse experiences of successes and learning from failures. It is a truly systemic one. For example, the processes of social mobilisation for peace, human rights and democracy and local resistance have played a very important role in preparing the ground on which the Havana Peace Process thrived.

Moreover, in the post-agreement phase, Colombia faces the challenge of recognising and organising important transitions, for example in the field of security (from military to human security) and towards a culture of peace.

4. Time and timelines are crucial and expectations count

Most Colombians understand peace as a long-term, non-linear process. Based on decades of experience of what violence cannot bring as well as efforts to remove violence, modesty is required about the rate of change in the cultural perception of peace. Given the long-term efforts, in the past till now, through resistance and activism and other non-violent political and social approaches, success at breaking this culture of violence have already been sown.

For Colombia, this means that peace must be on the agenda for many more years and that setbacks, such as an increase in violence or new conflicts, must be dealt with patience, commitment and political will. For the international community, it will be necessary not to put deadlines on peace and post-agreement phases, but to allow for smooth transitions when projects, mandates or deployments end. The international community should continue to engage, build bridges and apply international norms when the state falls short.

5. Drawing on the diversity of local contexts and experiences

The different realities, dynamics and tensions between the national and sub-national levels have marked Colombia for a long time. This implies that not only the geographical, social and political contexts are different but also there are very different experiences of war and peace. Given the great distances, both physical and mental, between the elites in the capital and the citizens in most areas of Colombia, substantially different approaches will be required.

Drawing on the richness of diverse experiences in communities and territories, which were not necessarily accessible in Bogotá and internationally, was fundamental in the construction of the peace process and many different contextualised 'peaces'. Alternatively if peacebuilding efforts do not take local conditions into account, they may fail. For Colombians, the challenge remains to operationalise a sufficiently good balance between bottom-up and top-down peacebuilding. It will also be necessary to listen to the voices of those affected and draw on local, regional and national experience to address the unresolved factors of the conflict. For the international community, it is important to accompany the different Colombian actors in listening to or being heard, as well as for its own efforts to listen to a wider range of actors within the international community that goes beyond the western-elite voices.

6. Inclusivity, participation and addressing elite resistance

Colombia is an example of how the participation of 'marginalised' groups, i.e. affected actors beyond the main belligerents, has been a cornerstone of progress towards peace. The participation of these groups at the table and in the implementation bodies is crucial as demonstrated by the victims' and women's delegations in Havana. This gave an important impetus to the process and then to the results.

Many of these efforts have taken place before, in parallel, connected to or even after the negotiation process. For both Colombian and international actors, it is important to provide the means for communities to change the dynamics of violence on the ground if they are not initially invited to the table. This means supporting the creation of spaces outside the peace table. These spaces can help prepare, nurture approval, ownership and participation and thereby mitigate, to some degree, the space for spoilers, such as the those that resulted in the popular rejection of the 2016 referendum.

One aspect on which the Colombian experience sheds light is elite resistance to change. In Colombia's history, elites have used violence to

achieve their goals. This use has been characterised by forging exclusionary agreements to maintain power, using violence to curb social protest and destroy armed power contenders and attacking communities under the control of armed groups.

Colombians will have to revive and nurture their social pact and realise both the 1991 Constitution and the spirit and stipulations of the Peace Accord. It will require taking into account all actors and directly facing resistance from elites as well as armed groups. For international actors, promoting inclusion and rights-based approaches proved to be a very important accompanying element, even if it requires patience and resources. International support for peace is especially necessary in times of political campaigns, when elites resist change, as the timely award of the Nobel Peace Prize to President Santos in late 2016 demonstrated.

7. No country can have peace in isolation: global and regional environment

Colombia's relations with the international community are diverse and have had different effects on peace processes. Beyond support to armed actors and strategies, there have also been countering efforts to support peace. These have included facilitating and guaranteeing roles in negotiation, long-term engagement, supporting civil society efforts by a wide range of external, non-governmental organisations and building peace infrastructures by states. The role of the international community is largely seen as key to the peace process if it complements the overall local commitment to peace.

In a middle-income country with a functioning democracy, the role of the international community, normative and political frameworks, can be to: strengthen and accompany local actors working for peace, complement their contextual knowledge and experience and build networks. Additionally, with their comparative experience, resources, normative protection frameworks and political, they can provide leverage vis-à-vis state actors reluctant to engage in efforts towards peace. Relationships, too, between the international community and local efforts need to be balanced. A central lesson from Colombia was that these efforts worked best when they 'walked side by side' with a rights-based and peace-orientated approach, and supported communication and joint action on multiple tracks and with multiple actors.

Marginalised actors, such as ethnic communities, victims and women, were successfully supported by international actors in being heard at the table; they will need further support in this post-agreement phase. Diaspora roles and processes were also useful when supported. The whole process of establishing, politically backing and funding Colombia's much-lauded transitional justice system has benefited greatly from international support.

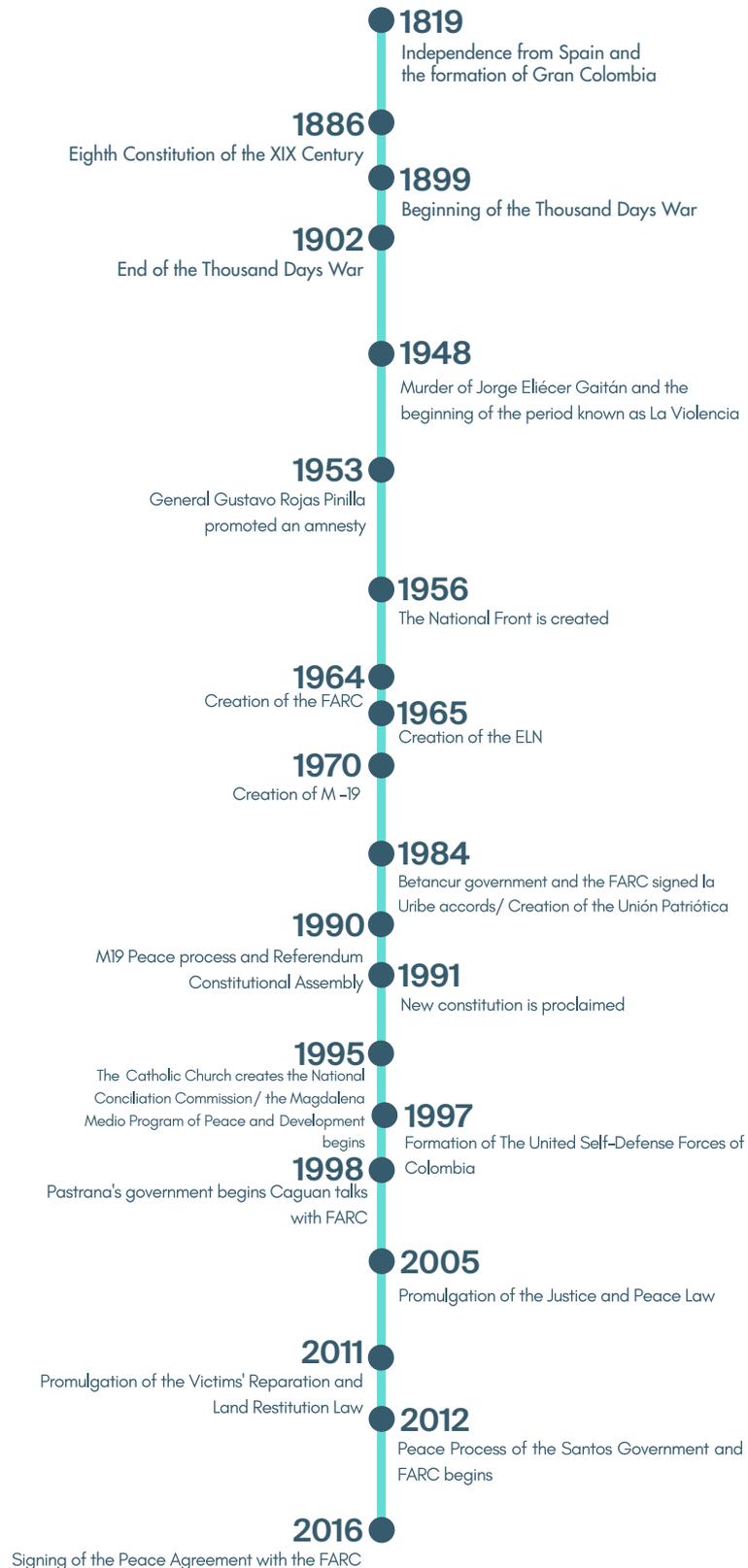
The dynamics of geopolitics and neighbouring countries have influenced the conflict and are influencing Colombia's present and future. International demand and the business structures of illegal economies need to be addressed to support Colombia's peace process.

Colombia Map and Timeline



TIMELINE

MAIN MILESTONES OF THE PEACE PROCESS IN COLOMBIA





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