Colombia

Background

Colombia is the only country in the western hemisphere suffering a major internal armed conflict. Since the mid-1960s a number of armed groups, most notably the Revolutionary Armed Forces of Colombia – People’s Army (FARC-EP) and the National Liberation Army (ELN), have engaged in a violent struggle with the Colombian government. To date, more than 220,000 have been killed and 8 million have been officially acknowledged as victims.

The conflict has its roots in a long history of violence against political opposition and dispossession of peasants’ land. The assassination of Jorge Eliécer Gaitan, a leader of the Liberal party, triggered a period known as La Violencia, a violent power struggle between Colombia’s two main political parties in the 1950s, the Liberals and Conservatives.

Ten years later, the ‘National Front’, a political pact between the two factions, brought stability but also repression of alternative political expression, particularly among Colombia’s leftist groups. In this context revolutionary guerrilla movements such as ELN and FARC-EP emerged, made up of the marginalised rural poor, trade unionists and radical urban students.

Right-wing paramilitaries, notably the United Self-Defence Forces of Colombia (AUC), formed in response to these movements and often operated in collusion with state security forces in fighting the guerrillas.

Over the past two decades the conflict has been fuelled by criminal activity including drug trafficking, extortion, kidnap and mining. Local communities in areas of intense rebel activity have borne the brunt of violence from all sides.

Successive governments have attempted peace negotiations, but have also pushed for war. Notable peace talks between the government and the FARC-EP occurred from 1980–84 and 1999–2001.

After eight years of war with FARC-EP under President Álvaro Uribe (2002–2010), President Juan Manuel Santos (2010–present) invested in reaching a negotiated settlement. Peace talks in Havana between the government and FARC-EP have been discussing a six-point agenda, initially without an agreed ceasefire, since 2012.

At the time of writing in August 2016, the government and FARC-EP appear close to reaching a comprehensive peace agreement. They have agreed on the five substantive agenda points (land reform and rural development, May 2013; political participation, November 2013; illegal drugs trade, May 2014; transitional justice, June 2014; and how to end the conflict, June 2016). Talks are now focused on the procedural issue of implementation of the peace deal.

Challenges ahead include how to increase public support for the peace negotiations (as there is limited trust in both the guerrillas and the government) and for the signatories of the peace agreements to deliver on their commitments.

In parallel, the government and the ELN have also been discussing an agenda for formal peace negotiations since 2014. In March 2016 they announced formal peace talks, but mutual distrust has prevented the negotiations from beginning.
Imagining peace and building paths to inclusive reconciliation in Colombia

Rosa Emilia Salamanca González and Ricardo Mendoza

Colombia is a musical country. We sing our joy and our despair, and we dance to our victories and defeats. Music runs through our veins as a result of that peculiar mixture of African rhythm, indigenous cadence and gypsy song. Colombia’s future harmony rests between the dance of peace and the dance of reconciliation.

Colombian society today has been shaped, both culturally and institutionally, by the tide of conflict rather than peace. As of 2012, in a country of 48 million, the conflict had resulted in over 220,000 deaths, close to six million forced displacements, 30,000 kidnappings, 25,000 forced disappearances, 13,000 victims of sexual violence, 11,000 victims of land mines and more than 10,000 victims of torture. Journalists, human rights defenders, indigenous people and women have all been victims of violence. Colombian society cannot imagine peace. Many Colombians have only known war, conflict and violence in their lifetime, and believe that a culture of war and warmongering is normal.

"Tragically, the most perverse result of 60 years of conflict in Colombia is a culture of vengeance, in which the use of arms is considered to be the solution to everything. How can we change that culture, that narrative, in order to generate a culture of forgiveness and reconciliation?" Leonel Narváez, President of the Foundation for Reconciliation, ‘Elementos Básicos del Perdón y La Reconciliación’, 2004

The Havana peace talks between the government and the Revolutionary Armed Forces of Colombia (FARC-EP) have provided an important starting point for dealing with the legacies of this violent past, creating an environment for broader national discussions on truth, justice and reconciliation. Without them, many of the conversations, analyses and proposals for solutions within Colombian society would not be possible. However, while the peace talks provide an important juncture in the peace process, Colombian society must have many difficult conversations to transform relations of conflict and rebuild trust in the state and each other.

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The immediate challenge that Colombia’s ideologically diverse population faces is to learn how to coexist: this is the first step to reconciliation. Coexistence means accepting difference within society. Deeper reconciliation is about trying to talk to and understand each other, which requires building relations. Despite the enormous difficulties we face regarding sustainable peace and reconciliation, the current negotiations have opened a window of opportunity. The need to coexist while reconciliation is progressing is set out in the agreement reached in Havana on transitional justice:

‘The [proposed Truth] Commission must promote coexistence in the territories. [...] it shall foster an atmosphere of dialogue and create spaces for dignifying victims; for individual and collective acknowledgement of responsibility; and, in general, for the consolidation of citizens’ respect for and trust in one another, cooperation and solidarity, social justice, gender equality, and a democratic culture that fosters tolerance and does away with our indifference to others’ problems. Thus shall the foundations be laid for non-recurrence, reconciliation, and building a stable and lasting peace.’

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Four aspects of reconciliation are particularly relevant for Colombia, and are discussed below.

Forgiveness by victims

Just as forgiveness is an act of liberation for some victims, for others, it is a dangerous act that risks impunity.

The design of the negotiation process between the Colombian government and the FARC-EP has been highly innovative. The issue of victims has been central to the talks, an acknowledgement that all armed actors have affected the civilian population, and has become crucial to the credibility of the process: some 3,000 victims participated in discussion forums in Colombia, and 60 victims travelled to Havana to give direct testimony to the talks and offer recommendations, including on conflict-related gender-based violence. An Agreement on the Victims of Conflict was signed in September 2015, which sets out a wide-ranging framework for transitional justice. The prominence of victims at the talks can be attributed to the high levels of violence and the perseverance of human rights activists demanding that the state acknowledge its involvement in acts of violence.

Placing victims so centrally has had a significant impact on the peace process. The 2015 agreement will lead to a ‘Comprehensive System for Truth, Justice, Reparation and Non-Recurrence’, which has important implications for the design of the negotiation process between the Colombian government and the FARC-EP. This agreement provides for the creation of a number of structures: a Truth, Coexistence and Non-Recurrence Commission; a Special Jurisdiction for Peace (with a special tribunal for peace and special justice courts to deal with investigations, prosecutions and sentencing); and a special unit to search for the bodies of the over 25,000 disappeared. It also establishes comprehensive measures to provide reparations to victims, particularly those most vulnerable and most affected by the conflict, such as indigenous and Afro-Colombian rural populations and women.

There will be an amnesty for ‘political crimes’ such as rebellion. This will not be extended to crimes against humanity, serious war crimes, hostage-taking, torture, forced displacement, forced disappearance, extrajudicial executions or sexual violence – which will be subject to investigation and trial under the special jurisdiction for peace.

Both the FARC-EP and the Government have engaged in acts of public apology. For example, on 4 December 2015, a FARC-EP commission led by guerrilla member ‘Pastor Alape’ travelled to Bojayá (Chocó) to ask forgiveness from victims of the 2002 massacre that left 79 dead and over a hundred injured. Likewise, in an unprecedented act, President Juan Manuel Santos accepted state responsibility and asked forgiveness for errors committed by the military during the siege by M-19 guerrillas of the Palace of Justice in 1985, in which over 100 people were killed. President Santos further asked forgiveness from the community of San José de Apartadó, which had opted for peaceful resistance in the midst of the armed conflict and had been wrongly accused by the authorities of supporting the FARC-EP.

Increased religiosity in some parts of Colombian society has also amplified discussion on forgiveness as a way for victims to achieve personal liberation and relief from pain. However, many victims also believe that asking for or providing forgiveness does not negate the need for truth, justice, reparation and non-recurrence. They see these as necessary so that acts of forgiveness are meaningful, fearing that personal acts of forgiveness lead to a loss of political agency and will jeopardise their ability to demand enforcement of rights. They feel the state might use forgiveness as an excuse to not provide reparative or restorative justice, and are sceptical that forgiveness will contribute to clarifying the truth of the conflict.

Transforming relationships through forgiveness requires reformulating the victim-perpetrator dichotomy, while also respecting it – moving towards notions of shared responsibility for a viable and mutual future. Constanza Turbay poignantly expressed this during a visit to the Havana talks, after FARC-EP negotiator Iván Márquez had apologised for the massacre of her family:

“...The meeting in Havana was very difficult at first, because I was face to face with the material authors of the assassination of the people I loved most in my life ... But when Iván Márquez sincerely asked for forgiveness, that transformed the scenario of victims and perpetrators into that of a new beginning, which gives us the responsibility of building peace. Forgiveness is a personal act in which individuals opt for either the path of magnanimity or the abyss of hatred.”

Truth

A key aspect of reconciliation in Colombia is to understand and acknowledge what happened during 60 years of violent and polarised conflict.

Reconciliation involves knowing what happened: why, when, how, by whom and to whom. But information about who did what during the conflict is fraught with confusion. Divisions based on fear have become embedded in Colombian society, particularly as a result of policies implemented during Álvaro Uribe’s presidency (2002–10), when anyone critical of the government was accused of colluding with ‘terrorists’ – the FARC-EP and the National Liberation Army (ELN).
The media have played a key role in exacerbating suspicion and prejudice – demonising the guerrillas while justifying the paramilitary and self-defence groups as legitimate means to destroy the ‘enemy’, such that the gradual corruption of the state seemingly went unnoticed, especially at the local level. In fact, many people struggle to distinguish between armed actors, and atrocities perpetrated by paramilitaries are often wrongly attributed to guerrillas. Colombians have also experienced conflict very differently, depending on where they live, their proximity to the violence, their social conditions and the level of inclusion or exclusion they face, the history they have learnt in school, and their political ideology.

Public consciousness of the diversity of identity and of conflict experience is important for an inclusive society in the future. A considered process of education, information sharing, and truth telling across the country is needed to reflect the diverse cultural, gender-based, political, and religious identities in society. This involves rebuilding history based on accounts of those who experienced the conflict.

In Colombia, significant progress has already been made towards clarifying truth and constructing historical memory – in large part due to the continued commitment of human rights activists to document incidence of extreme and targeted violence, as well as unofficial civil society initiatives around the country.

The work of official processes such as the National Center for Historical Memory is important. Established by law in 2005 under the Uribe administration, it is tasked with contributing to the provision of comprehensive reparations and giving both victims of the conflict and society in general the right to hear the truth. It has been conducting interviews and undertaking research, including travelling to communities and speaking with victims to collect testimony. In 2013, the centre presented the Basta Ya! [Enough!] report, which documented the various forms of violence during fifty years of conflict, the key actors involved in it, and its impact on society.

Reconciliation with the state also requires a state that is more representative of the diversity of its people.

These are the first attempts to build an accurate record of events distinct from the versions provided by the state. Yet such efforts to piece together fragments of truths have been taking place during continuing conflict. A ceasefire and end to the war was only agreed in Havana on 23 June 2016, and at the time of writing there is an atmosphere of hostility, accusation and suspicion. Many people regard efforts to shed light on events of the conflict as threatening, and reconciliation initiatives as naive, believing that it is not yet possible to trust the FARC-EP. Significantly, human rights violations and displacements have continued during the peace talks. Violence and threats against civil society, including social movements like the Patriotic March [Marcha Patriotica] and Agrarian Summit [Cumbre Agraria], indigenous and Afro-Colombian groups, academics, and reporters, indicate an extremely worrying trend. According to Colombian non-governmental organisation Somos Defensores, 2015 saw a 13 per cent increase in killings of human rights defenders from 2014.

Knowing what happened in the past also builds confidence about future prospects for peace. For example, some sectors of society have never accepted former combatants’ entry into the political arena. Clarifying the reasons for the failure of negotiations with the FARC-EP in 1999–2002 could overcome some current fears on reintegration of ex-combatants, by revealing the shared responsibilities for the breakdown of the talks. The same applies to those involved in other previous peace talks, such as M-19 guerrillas who laid down weapons in 1994: decades later, they still face hostility, even after performing well in public administration.

Building trust in the state
Reconciliation means much more than forgiving the perpetrator and understanding what happened; it implies ensuring that the conditions that gave rise to the conflict change deeply, and trusting that the state will never again cause or allow that situation to occur.

The social contract is important in Colombia, where the state is seen to have been responsible for crimes similar to the FARC-EP, whether through negligence, incompetence or direct participation. State representatives – from government to military to judiciary – have been accused of, and in some cases found responsible for, supporting or cooperating with armed actors, including paramilitaries and drug traffickers. The state is seen to have systematically violated citizens’ human rights and failed to provide for their security, and to have allowed and even encouraged local and national political parties to make pacts with criminal organisations, leading to violence and corruption.

There have been important positive developments. The Government has accepted responsibility for the state’s role in the conflict, and the mandate of the transitional justice agreements covers state representatives. There are already investigations of politicians at the local and national level as well as members of Congress, focusing especially on links with paramilitaries. A high-profile investigation is looking into Colombia’s former army commander, General Mario Montoya, for alleged complicity in the killing of thousands of civilians. However, there are concerns over gaps that will not be covered by the agreement, especially cases of ‘false positives’, where civilians killed by the army were later presented as guerrilla members.

Reconciliation with the state also requires a state that is more representative of the diversity of its people. It involves reshaping state institutions to build citizens’ confidence that the state will not only repair past harm, but also can be trusted to work in the interests of its population after the conflict. An example of this starting is the suggestion by the High Commissioner for Peace in Colombia that impunity needs to be measured by the level of fulfilment of victims’ rights.
Such fundamental change includes more effective efforts to redress the structural violence that is a root cause of the conflict and the ongoing suffering for many campesinos (rural communities) and indigenous communities. For example, a land restitution process initiated in 2012, intended to return land to those who had been forced off it, has made slow progress. Amnesty International described how, by the end of 2015, very little land had actually been subject to judicial rulings ordering its return: 58,500 hectares of land claimed by peasant farmers, one 50,000-hectare indigenous territory and one 71,000-hectare Afro-descendant territory. The main stumbling blocks have been the state’s continuing failure to guarantee the security of returnees and the lack of effective social and economic measures to ensure returns are sustainable. Furthermore, new displacements continue to take place.

Reconciliation between state and society involves difficult conversations about the nature of the social contract. The Women, Peace, and Security Collective offers an innovative example of how this process can start to happen. It brings together women from multiple sectors of Colombian society, including those traditionally opposed to each other, such as the security forces and human rights groups and civil society. Participants share their different experiences of the conflict so they can break down some of institutional and conflict-related stereotyping that defines their respective experiences and perspectives. The focus on women, peace and security helps participants to reframe their security paradigm from traditional hard security approaches and military capacity, to one with human security at its core.

In a speech on her return to Colombia in April 2016, Ingrid Betancourt – famously kidnapped and held hostage by the FARC-EP for six years in the 2000s – stated that genuine reconciliation:

"is not just something that takes place between perpetrators and victims. … Rather, it is necessary for all social and political actors to come face to face with one another and come clean. And they should do so not in order to forget or to make pacts among elites, as has been the case before, but rather, to create a more inclusive and democratic society where …everyone else can coexist in disagreement."

Speech at Fundación Buen Gobierno forum, ‘Reconciliación, mas que realism mágico’, 5 May 2016.

Inclusivity
After decades of exclusion and marginalisation, reconciliation also includes recognition of different groups within the country, and respect for different approaches.

Reconciliation means different things to different people, depending on their status, interests and priorities. For example, indigenous communities emphasise restorative justice over judicial processes, to promote good relations with other people but also with their environment. Respect for land and nature is important.

For this reason, reconciliation is relevant to and affected by power relations. Power here refers to people who exert influence – through regional, class, gender, or ethnic-cultural relations – over what reconciliation will look like, or at. In a practical sense, therefore, it is important to be aware of who is promoting reconciliation. Is it the result of efforts to achieve truth, justice, reparation and non-recurrence? Or to achieve the cultural transformation of people? Does it mean the construction of a new ethical and social pact for society? An important question is whether reconciliation that derives from existing sources of power can challenge those very power structures that have played a part in sustaining the conflict. A new perspective on reconciliation cannot overlook the powers inherent in it – de jure or de facto – and needs to consider how to involve marginalised voices.
One concern, for example, is that reconciliation as currently being prioritised publicly as part of the ‘formal’ peace process, with its emphasis on forgiveness rather than change, is not transformative – it is directed towards shallow conciliatory gestures, instead of questioning existing power relations.

While the Havana negotiations have provided impetus for conversations on reconciliation, valuable reconciliation projects have been running for a number of years, in the midst of fighting. Catholic and Evangelical Christian grassroots communities have been implementing development and reconciliation programmes in rural areas deeply affected by violence. Philanthropic organisations have promoted joint economic projects with demobilised actors from different armed groups. And organisations of women, victims and indigenous populations have been implementing national and local reconciliation initiatives.

“A transformative approach also requires re-thinking everyday practices.”

For example, the national women’s network Ruta Pacífica de las Mujeres (Women’s Route to Peace) has been carrying out memory and truth work to highlight the specific experiences of women. They have collected almost one thousand testimonies of women victims of human rights violations from across the country. Such work should be used as examples for the truth commission proposed at Havana – particularly the methodologies of engaging with women and other vulnerable actors.

A transformative approach also requires re-thinking everyday practices. Women have repeatedly argued that while domestic violence is magnified in war, it can commonly be found in many ‘ordinary’ homes throughout Colombia’s patriarchal society. Women speak of the ‘continuity of violence’ and of its enormous impact in the context of armed conflicts. Acknowledging this violence and its practice is fundamental to identify and promote individual and collective cultural transformation. Violent behaviour, as well as its structural causes, such as exclusion, discrimination and class, is an expression of disrespect of others. Reconciliation without recognition of other people’s rights is not helpful.

The Women, Peace, and Security Collective, with over one hundred individual members, has challenged the convention of ‘conversation among equals’ and firmly opted for ‘conversation amidst difference’ – even ‘with those we consider our enemies’. This peace process among women has made possible dialogue among disparate people that would previously have been unimaginable.

Conclusion: capacities for reconciliation

Peace and reconciliation in Colombia means much more than the agreement in Havana: it means generating numerous new pacts within society, among its different actors, in order to achieve a sustainable and lasting peace.

We Colombians are currently facing the challenge of overcoming a culture of militarism and vengeance that has taken root in our society, and of opposing, without violence, prevalent, pro-war voices that continue to polarise the country. These are the voices of de facto power holders for whom the confusion and combination of conflicts in Colombia has been profitable, suiting their economic interests and facilitating control of lands and populations.

Political actors alone should not shape a framework for reconciliation. Generating momentum for peace and reconciliation requires citizens to be active and overcome their own fears. One challenge is that the truth-telling exercise will unveil more than is digestible by the population. The solution is not less truth, but to increase the capacities of people, society, and the state to absorb it. Our proposal is, therefore, to develop capacity – personal, social, political, economic, institutional and cultural – in a population that currently lacks it, building on existing and past experiences of supporting reconciliation.

There is no exact formula for reconciliation that Colombia or any other country should apply. It is fundamental to envision and create the conditions that can provide adequate political and financial support to the diverse institutional and civil society actors in each particular context, so that they can develop their own legitimate processes of reconciliation and are able to influence the definition of new social pacts.

The inclusive social dance we envision requires imagining peace, overcoming fear, engaging in the transformative power of reconciliation, and creating a spiral of future truth and social justice for each and every one of us.