
THE PEACE NEGOTIATIONS

The Pastrana government's hopes for restoring peace rest in the success of negotiations with the guerrillas. This is not a new approach. Periodic truces, cease-fires, and attempts to reach a negotiated settlement have punctuated the 35-year Colombian insurgency. The administration of President Belisario Betancur, a populist Conservative, signed a ten-month truce with the M-19 revolutionary movement in August 1984; however, the M-19 broke off the talks and in November 1985 an M-19 commando group seized the Palace of Justice in central Bogotá. Over 100 people were killed in the ensuing battle, including 11 Supreme Court justices. A truce with the FARC and parts of the ELN was in effect from 1984 to 1987. The FARC established a political front, the Patriotic Union (UP), which contested the 1986 election and elected 14 senators and congressmen and scores of council members. However, the agreement unraveled amid mutual recriminations and assassinations of UP officials; it was broken off by the government after a FARC ambush of an army unit in Caquetá.¹

Unlike Betancur, who had avoided the issue of disarmament in negotiations with the guerrillas, his successor, Liberal President Virgilio Barco (1986–1990), insisted that the negotiations be limited to two fundamental issues: disarmament of the guerrillas and their reincorporation into society. Barco's approach achieved a major success in 1989 when the M-19 broke ranks with other guerrilla groups and

¹See Mark Chernick, "Negotiating Peace Amid Multiple Forms of Violence," in Arnson, pp. 175–177; and "De Caracas al Caguán," *Cambio*, Bogotá, July 3–10, 2000.

agreed to abandon the armed struggle in exchange for amnesty and guarantees of participation in the political process. The M-19 participated in the 1990 presidential and parliamentary elections; it received almost 30 percent of the vote in a special election for a Constituent Assembly, and its leader, Antonio Navarro Wolff, became one of three co-presidents of the assembly, as well as a member of President César Gaviria's cabinet.²

The Gaviria administration (1990–1994) followed the Barco model in its successful negotiations with several small guerrilla groups: the People's Liberation Army (EPL), the Quintín Lame group, and the Revolutionary Workers' Party (PRT), all of which laid down their arms and were given representation in the Constituent Assembly. Next, the government entered into negotiations with the FARC and the ELN, which had joined other guerrilla groups in the Simón Bolívar Guerrilla Coordinator (CGSB). The CGSB demanded a broader agenda than disarmament and reincorporation and insisted on maintaining its forces in the areas where it had major influence. The government and the CGSB met in Caracas, Venezuela, but the negotiations were suspended after a FARC ambush of the president of the senate's motorcade in September 1991. The discussions were resumed in Tlaxcala, Mexico, in March 1992, but were again suspended after the dissident faction of the EPL, a participant in the guerrilla coalition, kidnapped and killed a former government minister.³

Gaviria's successor, Liberal President Ernesto Samper (1994–1998), sought a resumption of peace negotiations through a National Conciliation Commission. The guerrillas, branded as bandits by the Gaviria government after the end of the Tlaxcala talks, were once again relegated as negotiating partners. The government, the ELN, and representatives of civil society sectors agreed to discuss the application of international humanitarian norms to the conflict, but

²Chernick, pp. 178–180. Despite its impressive initial display of electoral strength, the M-19 failed to establish itself as a political force and saw its political fortunes decline precipitously in subsequent elections.

³Chernick, pp. 180–183; "De Caracas al Caguán"; for the FARC perspective see Fuerzas Armadas, Revolucionarias de Colombia, "Las FARC: 30 años de lucha por la paz, democracia y soberanía," http://tierra.ucsd.edu/farc-ep/Nuestra_historia. As noted above, the main body of the EPL agreed to demobilize in the context of a peace agreement in 1990.

the FARC demanded the demilitarization of an area in southern Colombia as a precondition for negotiations. Discussions with other guerrilla groups produced limited results.⁴

Andrés Pastrana, a coalition presidential candidate supported by the Conservative Party and dissident Liberals and independents, was elected president in July 1998 on a platform of peace negotiations. In November 1998, President Pastrana withdrew government forces from five municipalities in southern Colombia. Talks began in the town of San Vicente del Cagúan, within the *zona de despeje*, or demilitarized zone, in January 1999. Pastrana traveled to the zone to open the negotiations, but was snubbed by FARC leader Marulanda, who failed to appear (supposedly on security grounds). The FARC then suspended the negotiations, 18 days after they had started, demanding that Pastrana curb the paramilitary groups' activities. The ELN, in turn, demanded equal treatment with the FARC and in April 1999 hijacked an airplane to press its demands.⁵

Negotiations with the FARC resumed in May 1999. The negotiations were, in a sense, a continuation of those of 1991–1992 in that the stated objectives of the two sides had not changed much over the intervening years. The government continued to seek the demobilization of the guerrilla forces, while the guerrillas wanted to discuss a broad-ranging social, economic, and political agenda and defer the issues of demobilization and security guarantees. What had changed was the correlation of forces. In the intervening years, the FARC had expanded its military strength and zone of influence. While in 1991–1992 the guerrillas agreed to negotiate at venues overseas, in 1998 they insisted that the negotiations take place in zones cleared of government forces and effectively controlled by the guerrillas.

Negotiations between the Pastrana government and the FARC continued, with periodic interruptions, through 1999 and 2000, without registering any perceptible results. They were broken off by the FARC in November 2000 to protest the alleged government failure to combat the illegal self-defense (paramilitary) groups. The stalled negotiations were dealt another blow in December 2000,

⁴Chernick, pp. 183–185. See chronology in Echandía, pp. 217–223.

⁵"Colombia: desintegración o intervención en ciernes?" *Venezuela Analítica*, September 9, 1999.

when FARC guerrillas ambushed and executed Diego Turbay, the head of the congressional peace commission, and five others, including his mother, in southern Caquetá.⁶ The talks resumed in February 2001 after the government threatened to move against the *zone de despeje*. The agenda for the renewed negotiations included a ceasefire, a prisoner exchange, and the creation of a commission to find ways to combat the paramilitary groups and ameliorate the effects of the conflict. The FARC also announced that it was not opposed to the eradication of coca crops, as long as there were economic alternatives.⁷

As of this writing, the negotiations had involved only the FARC, although the government had opened discussions with the ELN with a view to beginning parallel negotiations. The ELN's central demand is to be given control of a zone analogous to that conceded to the FARC. The Pastrana administration has agreed in principle to what it calls a *zona de convivencia* (live-and-let-live zone) for the ELN in an area in the middle Magdalena valley, where it has long been active. However, chastened by the FARC's exploitation of the *zona de despeje* in southern Colombia, the government proposes to make the ELN zone smaller (about 5000 square kilometers) and include safeguards in the arrangement, such as the continued operations of the civil authorities within the zone and a "security cordon" around it to prevent it from becoming another sanctuary for illegal activities.⁸

PROSPECTS FOR A PEACE SETTLEMENT

Do the conditions exist for the successful conclusion of a peace agreement? There is little question about the Colombian government's commitment to achieving a negotiated settlement. A debate within the Pastrana administration on the extent of the concessions

⁶Turbay was traveling in an armored vehicle to the town of Puerto Rico to attend the swearing-in of the new mayor.

⁷"Segundo Aire," *Cambio*, February 12–19, 2000.

⁸"Proceso con ELN, aún sin definiciones," *El Tiempo*, December 24, 1999; Daniel García Peña, "The National Liberation Army (ELN) Creates a Different Peace Process," *Colombia Report*, November 27, 2000, www.colombiareport.org/colombia41.html; "Los acuerdos de la Habana," *Cambio*, January 22–29, 2001.

to be made to the FARC was settled within the first year of the administration with the resignation of Defense Minister Rodrigo Lloreda in May 1999. Backed by the military high command, Lloreda opposed Pastrana's decision to extend indefinitely the *zona de despeje*. The government's agreement to the FARC's negotiating agenda and its refusal to enter into discussions with the illegal self-defense forces constituted significant concessions.

What is in question is whether there are sufficient incentives for the guerrillas—primarily the FARC—to make peace now. There are three keys to this question: the first is the long-term political objectives of the guerrillas. The second is the evolution of the political-military situation or, more accurately, the guerrillas' perception of it, including its international aspects. The third is the role of the illegal self-defense forces.

There is controversy regarding the true nature of the FARC and its objectives. One view is that the FARC is no longer pursuing its original goal of Marxist revolution and is more interested in the limited goal of empowering the historically disenfranchised Colombian peasantry. Another view, commonly held in counter-narcotics circles, is that the guerrillas have become nothing more than drug traffickers and that their motivations are undistinguishable from those of common criminals. Neither view is consistent with the FARC's behavior as a revolutionary political organization and its continued adherence to its stated goal of toppling the Colombian government.⁹ The ELN may be another matter. The ELN suffered some heavy blows, particularly at the hands of paramilitary groups and, according to an interlocutor familiar with the thinking of ELN leaders, might be willing to settle for less than a full share of power.

It is worth noting, as one perceptive analyst of the Colombian conflict, Alfredo Rangel, has pointed out, that the guerrillas and the

⁹Colombian analysts differ on the question of the FARC's willingness to negotiate a peace agreement, but most reject the view that its members have become "narco-guerrillas" or simply a new cartel. García-Peña argues that it is precisely because of their strongly held ideological convictions that the guerrillas require funding to finance their growth and operations. In other words, guerrilla wealth is not an end in itself, but a means to an end. Daniel García-Peña, "The Colombian Peace Process," in James L. Zackrisson (ed.), *Crisis: What Crisis? Security Issues in Colombia*, INSS, National Defense University, Washington, D.C., 1999, p. 58.

government operate with different conceptions of time, and that these conceptions shape their respective approaches to the negotiations. Having fought for 35 years in the mountains of Colombia, the FARC leaders can afford to be patient. They believe, moreover, that time is on their side, and that with the passage of time the FARC strengthens its position, gains legitimacy, and increases its resources and its influence. The Colombian government, in contrast, is constrained by the electoral schedule and its need to meet the electorate's expectations, as well as by external pressures and deadlines. The Pastrana government has until the next presidential election in 2002 to achieve its objective of a peace settlement. From these differing conceptions of the time element derive the Pastrana government's desire to press on with the negotiations and the FARC's dilatory tactics.¹⁰

The second factor is the evolution of the politico-military situation. Even if the FARC leaders are orthodox Marxists whose long-term goal is the seizure of power, they are not "fundamentalists," in the view of a respected Colombian analyst. Rather, they are "*campesinos sensatos*," shrewd peasants perfectly capable of rational calculations.¹¹ As long as they believe that military trends are running in their favor and that they may be able to win a military victory, or at least dictate the terms of the peace, the FARC will have little incentive to settle. On the other hand, if the FARC becomes convinced that a military victory is not possible, it might accept a negotiated end to the conflict.

The third factor is the illegal self-defense forces, which present a dilemma for all the other parties. The government, for good reasons, including the AUC's responsibility for some of the most egregious human rights violations, wishes to deny them the legitimacy that they would acquire from participation in the negotiations. The guerrillas have insisted on their exclusion, but at the same time they argue that, for their own safety, they cannot demobilize as long as the

¹⁰Rangel, pp. 8–9.

¹¹Discussion with Francisco Leal Buitrago, Bogotá, April 2000. Based on his analysis of FARC documents and interviews with FARC guerrillas, Spencer takes the view that the FARC leaders are not *campesinos sensatos*, but fundamentalists. Personal communication, December 2000.

paramilitaries are not also demobilized. But the AUC, which is not a party to the negotiations, has no incentive to demobilize.

With these caveats, the successful peace settlements in El Salvador and Guatemala may provide lessons for Colombia. In El Salvador, direct contacts between the government and the representatives of the guerrillas began in 1984, after the military situation had developed into a stalemate and the United States had made clear that it would not permit the military defeat of the Salvadoran government. The peace accords, concluded in January 1992, created a human rights ombudsman, established a separate National Civil Police to safeguard public security, formerly the responsibility of the armed forces, and permitted the major guerrilla umbrella organization, the Farabundo Martí National Liberation Front (FMLN) to transform itself into a legal political party.¹²

In Guatemala, the government opened direct negotiations with an essentially defeated guerrilla coalition, the Unidad Revolucionaria Nacional Guatemalteca (URNG) in 1991. The negotiations lasted five years and covered an agenda containing 11 themes divided into two groups: substantive issues related to deep-seated problems, and operational issues, including the demobilization of the guerrillas and their reincorporation into the political process. In both cases, despite initial distrust, the armed forces understood and supported the peace process.¹³

In Colombia, the guerrillas have not been defeated (unlike Guatemala), and the dynamic military situation cannot be considered a stalemate (unlike El Salvador). In both the Salvadoran and Guatemalan cases, as well as other successful peace processes, the key factor in reaching a settlement was the agreement of the rebel forces to demobilize in exchange for their incorporation into a democratic political process. In Colombia, the guerrillas have not shown any willingness to give up their arms as part of a peace agreement and no viable solution has been suggested to the problem of the paramilitaries.

¹²See Brigadier General Nelson Ivan Saldaña Araújo, "The Process of Negotiations in El Salvador," in Zackrisson (ed.), pp. 45–47.

¹³Brigadier General Otto Molina, "The Peace Process in Guatemala," in Zackrisson (ed.), pp. 39–43.

Yet, while it may not be in the FARC's interest to reach a settlement at this time, neither does it want the negotiations to break down irretrievably. Both the government and the FARC have an interest in continuing the process, regardless of how dim the prospects for success might be. The government has staked its credibility on the negotiations track and hopes that the negotiations will develop a momentum that will enmesh the guerrillas in the process. For the FARC, the negotiating arrangements enhance its domestic and international stature and legitimacy and create real strategic and operational advantages—particularly the ability to operate freely in the *zona de despeje*.

CONCLUSIONS

Given these considerations, it is unlikely that the peace negotiations will drive the political process in Colombia in the near term. The dynamic element driving the prospects of real peace will be evolution of the balance of forces. The position of the sides in the negotiations will no doubt reflect this evolving balance. Both sides will likely try to use the negotiations for tactical purposes as an element in their larger political and information warfare strategies (although the FARC has been much more adept than the government at this).

A critical point will come with the prospective deployment of the government's new counter-narcotics brigade to the south. The FARC has tried to use the negotiations to forestall the deployment and will probably intensify these efforts as the time comes nearer. If the FARC is not successful in deterring the deployment, it would be confronted with a choice of breaking off the negotiations, as it has threatened to do if the Colombian government proceeds with its deployment plans, or acquiescing, and thereby suffering a clear political defeat. The FARC could also choose to preempt the government's deployment and go on the offensive.