



# Colombia's Final Steps to the End of War

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Headquarters

**International Crisis Group**

Avenue Louise 149 • 1050 Brussels, Belgium

Tel: +32 2 502 90 38 • Fax: +32 2 502 50 38

[brussels@crisisgroup.org](mailto:brussels@crisisgroup.org)

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## *Executive Summary*

Painstaking negotiations have brought Colombia to the verge of peace with its main insurgency, the Revolutionary Armed Forces of Colombia (FARC). Over half a century of armed conflict, leaving over 220,000 dead, displacing six million and imprinting poorer regions and the central state with deep divisions and lingering grudges, appears close to an end. On 23 June, the parties announced a detailed plan to gather FARC fighters in 28 zones to lay down arms. The insurgency's 15,000 combatants and militia members are then soon to resume civilian life, while it seeks to convert its radical ideology into a force able to compete in a democratic system. A final peace deal, unveiled on 24 August, resolved the last disputes and brought together earlier agreements to initiate an ambitious scheme of transitional justice; rescue rural Colombia from stark inequalities; further open up the country's democracy; and begin, with FARC help, a program to replace coca cultivation with licit crops and off-farm economic opportunities.

However, peace faces real perils. The deal finalised in Havana has the blessing of the government and guerrilla leadership but not yet full support from the broader public or the entirety of FARC. The next six to nine months pose major tests that, unless dealt with effectively, threaten to derail the agreement, narrow its impact on guerrilla combatants or fail to prevent the chronic reproduction of violence in the outback.

Trading heavily on the unpopularity of President Juan Manuel Santos's government, opposition has surged under the influence of ex-President Álvaro Uribe, the principal antagonist of the peace process. If the 2 October plebiscite to approve the peace accords fails, Colombia will most likely suffer political convulsions and a return to war.

Even if the plebiscite succeeds, the relief in government quarters may be brief. The ceasefire and FARC's laying down arms hinge on how the transition takes shape at the grassroots. In light of the extermination campaign to prevent FARC's political participation after a ceasefire agreement 32 years ago, the real and perceived security of ex-combatants is fundamental to the success of the early post-conflict period. Local vendettas against guerrillas, unhappiness of some FARC fronts with parts of the agreement and moves by other illegal armed groups to seize former FARC-controlled territory, coca fields and illicit businesses pose acute risks to a delicate transition.

Clear approaches to these and other dangers should help the state and guerrilla leaders steer through the turbulence. A strong communications strategy to educate people about the contents of the peace agreements would help the "yes" vote in the plebiscite. Campaign efforts will have to delink the agreement from the government's perceived performance and focus on rebutting the opposition's exaggerated charges that FARC war criminals will not serve jail-time. FARC should help by showing goodwill and remorse.

Strict security protocols for protecting FARC combatants, already agreed, should be fine-tuned as the group proceeds to lay down its arms. It is up to the military and other state actors, however, to ensure that the power vacuums left by the insurgency are occupied quickly and conflict-affected communities feel some affinity to a state they have long regarded as distant and brutal. Throughout these multiple challenges, the initial UN Mission will aim to monitor and verify the ceasefire and handover of

weapons. Given society's extreme polarisation, both cause and legacy of the FARC uprising, it must be the neutral arbiter, entrusted with the group's weapons, watching over the cantonments and investigating and reporting ceasefire violations. Its mandate is narrow, time-limited and difficult.

To fulfil that mandate, the mission will have to handle carefully the expectations of communities and maintain dialogue with them to acquire crucial details on any possible violations. It will have to navigate the dynamics of other illegal armed groups still active in the countryside and accurately assess all violations. When disputes between FARC and the government occur, it could find itself on fragile ground. Informally consulting with Norwegian and Cuban delegates to the peace talks could be useful, while the international community will occasionally need to voice support for the mission's ongoing role.

Colombia has been in tougher times in over 50 years of conflict. Its response to these hurdles will decide if the war ends or continues into the next generation.

## *Recommendations*

*To achieve approval of the peace agreement in a legitimate plebiscite*

### **To the government:**

1. Implement a clear communications strategy to educate citizens on the peace deal that emphasises peace dividends for victims and conflict-affected communities, especially how justice will be applied, while being sensitive to differing urban and rural concerns.
2. Coordinate with but respect the independence of political parties and civil society campaigns for peace and guarantee rights and assure a level playing field to opponents of the agreement, including in civil society.
3. Apologise publicly for the state's role in certain events in the war, including the extermination of the Patriotic Union (UP) party, abandonment of rural communities and/or abuses by security forces.

### **To the FARC:**

4. Carry out goodwill gestures such as partial concentration of forces, symbolic destruction of unstable weapons and/or the release of all children under the age of fifteen in its ranks, to show benefits of peace before the plebiscite vote.
5. Apologise publicly for specific and/or systematic abuses such as extortion and kidnapping, and cooperate with the International Committee for the Red Cross in the Commission to Search for Disappeared Persons.
6. Publicly announce and abstain from coercing local populations to vote or vote a certain way in the plebiscite.

*To assure an effective transition from war to post-conflict*

### **To the government and FARC:**

7. Carry out activities to promote reconciliation between conflict-affected sectors, FARC and the state, including short-term projects that can be done with community participation while the guerrillas lay down their weapons. Define long-term reincorporation activities to be carried out in the cantonment sites, individual and collective in nature, and tailored to gender, age, and ethnic differences.

### **To the tripartite mechanism:**

8. Establish and sustain dialogue with local communities in and near the cantonments on their concerns, and purchase supplies as much as possible from local providers while doing no harm to local economies.
9. Establish quickly a space in which security incidents against FARC members who travel outside the cantonments can be reviewed, and change security protocols when necessary.

**To FARC:**

10. Select, before the ceasefire finishes, the members who will assume official roles in implementing the peace agreements, taking account to the greatest extent possible their transitional justice obligations.

**To the armed forces:**

11. Carry out activities to create the groundwork for reconciliation with conflict-affected communities that mistrust military and police forces and simultaneously time movements into territories adequately to minimise the risk of illegal armed groups taking over.

**To the UN mission:**

12. Establish continued dialogue with local authorities and communities to explain its mandate, gain information and maintain independent relationships.
13. Establish and lead regular meetings between actors working on the ground in areas close to cantonments to exchange pertinent information and consult, when necessary, with the delegates from guarantor nations when making decisions in the high-level dispute resolution process.
14. Begin planning for the three-year expanded mission while FARC lays down its weapons and the ceasefire is being implemented, monitored and verified.

**To the international community, in particular  
the U.S. and European Union:**

15. Give the UN mission urgent political support as and when crises arise and the mission and tripartite mechanism the technical support they request.
16. Give sustained support to finance community projects in post-conflict areas, especially in and around zones where FARC will lay down its weapons, and back the post-conflict ministry's Rapid Response Strategy.
17. Explore the means to support FARC reincorporation activities financially after the group finishes laying down its weapons.

**To the international community, in particular  
Latin American governments:**

18. Maintain support for the peace process, independently of other issues that cause regional tensions.

**Bogotá/Brussels, 7 September 2016**

# Colombia's Final Steps to the End of War

## I. Introduction

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The government and FARC guerrillas brought nearly four years of negotiations in Cuba to a close by announcing a final peace deal on 24 August. Two months before, they had agreed on perhaps the most laborious issues: the terms of a bilateral ceasefire, the process to lay down arms and guarantees for the security of FARC combatants once the war ends. After a March deadline for a complete deal was missed, these agreements gave the talks a much-needed boost and paved the way for the definitive accord.<sup>1</sup> Now a volatile transition from war to peace begins. Citizens will vote on the peace accords, which face vehement opposition in some quarters, on 2 October. If the plebiscite fails, the sides would struggle to renegotiate unpopular parts of the agreement. Violence would likely resume.

If the plebiscite wins, FARC must lay down its weapons and initiate a new unarmed political existence. With memories of the violent extermination of the Patriotic Union (UP) party still fresh for it and the political left, and with high and rising levels of violence against social and community leaders, the environment for leaving its arms behind is forbidding.<sup>2</sup> Weapons have been a source of power and protection for FARC, the only asset with which it can bargain.<sup>3</sup>

The UN mission has an essential role in assuring compliance with the cessation of hostilities and FARC's handover of weapons. The creation of the tripartite monitoring mechanism – UN, FARC and government – is an innovation the effectiveness of which is hard to predict.

This report focuses on the challenges of the plebiscite, FARC handover of arms and the UN mission. Though the peace accords promise ambitious changes, these immediate issues pose crucial tests at the very beginning of the transition. A vote against the agreements would in effect derail the entire process. The next step in the

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<sup>1</sup> For the complete text of the final peace agreement, see “Acuerdo Final Para La Terminación Del Conflicto y La Construcción De Una Paz Estable y Duradera”, Government of Colombia and FARC-EP, 24 August 2016. For previous Crisis Group work on the peace process, see Latin America Reports N°s 53, *The Day after Tomorrow: Colombia's FARC and the End of the Conflict*, 11 December 2014; 51, *Left in the Cold? The ELN and Colombia's Peace Talks*, 26 February 2014; 49, *Transitional Justice and Colombia's Peace Talks*, 29 August 2013; 45, *Colombia: Peace at Last?*, 25 September 2012; and Briefing N°32, *On Thinner Ice: The Final Phase of Colombia's Peace Talks*, 3 July 2015.

<sup>2</sup> This report uses the terms “laying down” or “handover” of weapons instead of disarmament and “reincorporation” instead of “reintegration” when referring to activities and concepts from the peace agreements and peace processes, in order to respect the language in the agreements, the design of the final agreement and FARC perspectives on these issues. “Reintegration” is used when referring to the existing, individual reintegration program that exists in Colombia.

<sup>3</sup> Threats dropped between 2014 and 2015, but murders of social leaders increased from 82 to 110. Jorge A. Restrepo, “Violencia política en Colombia: creciente y cada vez más selectiva”, CERAC, 23 March 2016. FARC created the UP in 1984 for its members and other activists. It enjoyed great success quickly at all levels, but political elites, drug traffickers, members of the military and certain state actors killed 3,000–5,000 members and activists. Steven Dudley, *Armas y Urnas: Historia de un genocidio político* (Bogotá, 2008); Roberto Romero Ospina, *Unión Patriótica: Expedientes contra el olvido* (Bogotá, 2011). Crisis Group interview, FARC negotiating team member, Cuba, 13 June 2016.

ceasefire will see the FARC lay down its weapons, and is pivotal: early progress would create momentum and confidence to move the entire peace agenda forward; early problems could rapidly undermine support for the process ahead of the 2018 presidential election. The UN mission is necessary for a smooth implementation of the ceasefire agreements signed on 23 June. It is also necessary – but not sufficient – for gaining the trust of a large part of mainly urban society still wary of the peace terms.

In order to draw upon the widest possible spectrum of views, 60 interviews were conducted with experts on disarmament, demobilisation and reintegration (DDR) and other relevant fields, legislators, conflict and political analysts, diplomats, members of the government and FARC negotiation teams and the UN mission, community leaders and local authorities. Viewpoints from FARC members in the field and National Liberation Army (ELN) members were also obtained. Fieldwork was done in Putumayo, Guaviare and Cauca, focusing principally on areas under FARC control. Interviews were conducted there with community leaders and residents.



## II. The Final Agreement and Transition

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The final agreement between the government and FARC provide for changes to increase productivity, improve living conditions and guarantee land ownership in rural Colombia; increase the political space for opposition movements; guarantee FARC reincorporation and security; reform drug policy, especially by helping rural campesinos to substitute legal crops for coca; respect victims' rights and justice for crimes in the war; and ensure verification, implementation and a plebiscite. The 23 June agreements on the cessation of hostilities, FARC handover of weapons and security guarantees for guerrilla combatants are of overriding importance, since they are the first to be implemented, and the long-term post-conflict transition will depend upon their success. They provide the roadmap to halt military confrontation and the timetable for FARC to lay down its weapons, both of which an international mission will monitor and verify.

While these are all part of point three of six on the negotiation agenda, they were left to near the end. Upon signing the agreement on "political participation" in 2013, the parties announced they would jump directly to the illegal drugs issue. The thorny matter of FARC participation in politics, originally part of the "political participation" talks, would be included in point three, they said.<sup>4</sup>

The first accords – on comprehensive rural reform, political participation and illicit drugs – were among the least complicated of the agenda points. Academia, civil society and Colombians more generally have consistently maintained that grievances around unequal land ownership have contributed to the armed conflict.<sup>5</sup> There is also strong support in Colombia to make counter-narcotics policy less overwhelmingly coercive and more sensitive to rural economic realities.<sup>6</sup> Demands that FARC explicitly renounce its role in drug production and trafficking were met by a commitment in the accord to sever links to the illegal trade and take part in fighting it.

The issues of victims of conflict, wartime abuses and transitional justice were considered the most difficult, High Commissioner for Peace Sergio Jaramillo said in December 2015. Both sides moved slowly toward admitting responsibility for grave violations of human rights. FARC frequently insisted its leaders and members would not go to jail for having exercised the "right to rebellion". Eventually, however, it

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<sup>4</sup> "Comunicado Conjunto: La Habana, 06 De Noviembre De 2013", government and FARC-EP, p. 3. The political participation agreement covered the role and guarantees for the opposition, as well as victims of the armed conflict in general, in politics.

<sup>5</sup> "Borrador Conjunto: 4. Solución al Problema de las Drogas Ilícitas", government and FARC-EP, 16 May 2014, p. 4. In 2014, a national survey found that 75 per cent of those polled agreed with the parties discussing "land access policies that broaden and complement the policy of restitution". Though polled after the agreement on comprehensive rural reform was signed, a little over half did not know the point was even discussed at the negotiations. Restitution refers to the 2011 Victims and Land Restitution Law, which aims, among other things, to return land stolen in the armed conflict. Francisco Gutiérrez Sanín and Margarita Marín, "Los colombianos y los problemas agrarios: encuesta de opinión sobre los problemas agrarios en Colombia: Segundo Reporte 2014", Observatorio de Restitución y Regulación de Derechos de Propiedad Agraria, 2014.

<sup>6</sup> See, for example, "La política de drogas según los líderes de opinión en Colombia", Fundación Ideas para la Paz, 13 August 2014. "Hay que regular el mercado de las drogas: test de El Tiempo", *El Tiempo*, 14 August 2014.

shifted to the argument that it would be unfair for its combatants to go to prison if no other actor in the armed conflict did.<sup>7</sup>

#### A. *What the 23 June Agreements Say*

The ceasefire agreements are both technical in scope and ambitious in timing.<sup>8</sup> They set out a detailed schedule for FARC to lay down its weapons and for the rollout of the ceasefire and the UN mission's responsibilities. The far-reaching agreement on security guarantees covers issues from short-term, individual security protocols to a "national pact" to prevent armed violence from tainting political life. The agreements also touch on the most existential issue for FARC: giving up its guns. They establish that there will be 22 "Transitional Village Zones for Normalisation" (TVZN) and six other smaller camp sites. These zones will be the size of the rural village in which they are situated and intended to protect and separate FARC forces from the military during the bilateral ceasefire. The camp sites will be smaller, though their final size is still not defined. FARC fighters will go to these areas to hand over weapons and prepare for reincorporation in civilian life.

The day the final agreement is signed and comes into force is D-Day. Before then, FARC will hold its tenth conference, bringing together leaders and mid-level commanders to approve the agreements, and make clear the costs if they do not take part in peace. The signing is set for 26 September and the plebiscite on 2 October. This means the 23 June agreements might begin to be implemented before the plebiscite. On D-Day+5, FARC will begin moving fighters to the TVZNs and camps and informing the UN mission about the size of its arsenal. Soon after, FARC will take its personal protection low-calibre weapons, the arms belonging to militia members, grenades and other munitions to the TVZNs. Concomitantly, over two months after the agreements come into force, "unstable armament kept in previously geo-referenced deposits" belonging to FARC will be destroyed.<sup>9</sup>

FARC fighters will stay in the zones for six months. They will hand over their weapons to the UN mission to be stored in containers according to a strict timeline.<sup>10</sup> The UN will remove the weapons and close the TVZNs and camps a month after the last arms are handed over. The weapons will be turned into three monuments: in New York near UN headquarters, Cuba and Colombia.

Starting on 29 August and during this six-month period, the armed forces and FARC will not conduct military actions against the other. To prevent incidents, the zones will be ringed by a one-km buffer zone protected along the perimeter by the armed forces and in which only the members of the tripartite mechanism can patrol,

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<sup>7</sup> "Las FARC por primera vez repararán materialmente a sus víctimas", *Efe*, 16 December 2015. Crisis Group Report, *Transitional Justice*, op. cit., pp. 9-10. "Las Farc reiteran que no están dispuestas a pagar 'un solo día de cárcel'", *El País de Cali*, 3 March 2015. "La isla y la selva: siete días en la mente de las Farc", *El Espectador*, 19 October 2015. The Special Jurisdiction for Peace (SJP), created by the justice agreement, will tackle the worst, most representative crimes in the war and cover all armed actors and civilians with crucial participation in such crimes.

<sup>8</sup> They include numerous specific protocols that are part of the final agreement.

<sup>9</sup> "Acuerdo Final", op. cit., p. 245.

<sup>10</sup> 30 per cent of all weapons by D-Day +90; another 30 per cent by D-Day +120; and the final 40 per cent by D-Day +150.

though police can be called in if needed.<sup>11</sup> The cessation of hostilities also requires that the parties do not conduct military actions affecting civilians. FARC must cease financial activities and cannot increase combat capacity. While fighters are in the TVZNs and camps, certain undefined reincorporation activities will be carried out.<sup>12</sup>

The security guarantees agreement covers fighters who take part in politics and others who participate in the reincorporation process, as well as communities and social organisations; the fight against neo-paramilitary groups; and anti-corruption measures.<sup>13</sup> It calls for a “National Political Pact” in which diverse social and political groups renounce use of violence in politics. The government is to introduce legislation prohibiting “paramilitary structures or practices”.

The security guarantees agreement also calls for creation of a National Commission of Security Guarantees to Dismantle Organised Crime. This has many objectives, including to “propose mechanisms” for vetting public officials for previous engagement in paramilitary groups or human rights violations, and to design policies to bring criminal organisations to justice. An investigative unit would be created in the attorney general’s office to target neo-paramilitaries.

Other significant measures include creation of the “Comprehensive Security System for Political Work”, to enforce special security measures for FARC members who go into politics, as well as for other FARC fighters in the reincorporation process. A “Security and Protection Body”, including FARC “people of confidence” and police, would staff this. FARC announced in July that it was planning to select 600 fighters as bodyguards for its leaders.<sup>14</sup> Various other medium- and long-term measures to protect rural communities and local organisations are envisaged, including a form of rural police force.

### B. *The Most Difficult Issues to Negotiate*

Talks on the ceasefire and handover of weapons were arduous. The technical sub-committees worked for over a year before the 23 June agreements, and both sides at different times received expert help. Perhaps the greatest discrepancy between the sides as negotiations missed the 23 March deadline was over the number of planned TVZNs and camps. The government originally argued that between seven and ten would do, roughly one per FARC bloc. FARC originally called for 70, one for each FARC front.<sup>15</sup> The dispute became a serious obstacle due its political sensitivity. How the zones would work was agreed before the final number.<sup>16</sup>

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<sup>11</sup> The tripartite mechanism is made up of delegates from the government, FARC and UN mission to verify and monitor the ceasefire and laying down of weapons. For more on it, see the section on the UN mission below.

<sup>12</sup> The parties announced that the bilateral ceasefire would begin on 29 August 2016, though the FARC will still begin its concentration according to the timeline established in the agreements. “Acuerdo Final”, op. cit., pp. 199, 68.

<sup>13</sup> Ibid, pp. 69-87. This report uses the term “neo-paramilitary” per Soledad Granada, Jorge A. Restrepo and Alonso Tobón García, “Neoparamilitarismo en Colombia: una herramienta conceptual para la interpretación de dinámicas recientes del conflicto armado colombiano”, in Restrepo and David Aponte (eds.), *Guerra y violencias en Colombia Herramientas e interpretaciones* (Bogotá, 2009), pp. 467-499.

<sup>14</sup> “Las Farc calculan que necesitarán unos 600 escoltas cuando firmen la paz”, *RCN*, 21 July 2016.

<sup>15</sup> According to its statutes, FARC is organised in units. Blocs have at least five fronts and follow Secretariat or Central High Command orders. A front has at least two columns and, in theory, at

The sides also differed on the best approach for the TVZNs. The government originally proposed a traditional camp for a DDR process, which FARC viewed as inadequate in the Colombian context. Contact with the civilian population was contentious. The government proposed zones in areas with no civilians. FARC said it would not be deprived of contact with civilians and that such zones would amount to “open-air prisons”.<sup>17</sup> However, the near complete openness of camps in previous peace processes, such as that with the Ejército Popular de Liberación (EPL) in the early 1990s, would have been impossible to recreate in the current political context.<sup>18</sup> Political imperatives dominated technical discussions, with a compromise solution found to allow for controlled contact with civilians.<sup>19</sup>

Lingering distrust was also manifested in a very public dispute in March 2016 as a result of the report handed in on 23 January by the Technical Sub-committee on point three. FARC argued that when the same technical sub-committee met in March to discuss the location of what became the TVZNs, the government team read out a proposal quite different from the original report that included ideas unacceptable to FARC and that were not part of the original paper. Government negotiators publicly called these statements “totally false”.<sup>20</sup> The spat damaged confidence and reflected the very difficult nature of the issues.

### C. *FARC Strength on the Eve of Transition*

FARC negotiated in part because of military setbacks during the administration of Álvaro Uribe (2002–2010). It controls today less territory than at the end of the Caguán peace talks in 2002; can no longer bring hundreds of fighters together for operations; and has declined from nearly 20,000 full-time fighters in 2002 to roughly 7,000.<sup>21</sup> It also lost leaders, most importantly in March 2008, when Manuel Marulanda, top commander for 44 years, died of heart complications; Raúl Reyes, then second in command, died in a military operation Colombian forces carried out in

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least 220 fighters. In reality, bloc and front sizes vary drastically. The Caribbean Bloc reportedly has about 350 uniformed fighters, the Eastern Bloc slightly more than 3,300. Excluding militia members, fronts have recently varied from around 250 to reportedly as low as ten.

<sup>16</sup> The government was concerned that numerous zones would allow the opposition to argue the country was being handed over to the FARC with numerous “little Caguáns”, referring to the demilitarised zone given it for peace talks 1999–2002. FARC thought too few zones would make it look like a defeated force. Crisis Group interview, senior diplomats, Bogotá, 5 May, 2 June 2016; conflict analyst, Bogotá, 9 May 2016.

<sup>17</sup> Crisis Group interview, government official, Bogotá, 16 June 2016; FARC negotiating team member, Cuba, 9 June 2016. “Sin firma en La Habana, ¿y ahora qué?”, *Semana*, 26 March 2016. “No aceptaremos cárceles a cielo abierto: FARC”, *Caracol*, 12 March 2016.

<sup>18</sup> Crisis Group interview, DDR expert, Bogotá, 2 May 2016. During the 1990–1991 EPL peace process, almost completely open “peace camps” were set up. Civilians, business leaders, government officials and journalists regularly entered especially the main Juan José camp.

<sup>19</sup> Crisis Group interviews, FARC negotiating team member, Cuba, 9 June 2016; government official, Bogotá, 16 June 2016.

<sup>20</sup> “El mensaje de Timochenko a su tropa que revela crisis en la mesa de La Habana”, *Las 2 Orillas*, 11 March 2016. “Diferencias de fondo’ bloquean acuerdo final entre Gobierno y FARC”, *Semana*, 23 March 2016.

<sup>21</sup> Ariel Ávila Martínez, “Del Caguán a la Habana”, Fundación Paz y Reconciliación, 2013. President Santos said in March that FARC has roughly 7,500 permanently armed fighters. “Santos dice que unos 17.500 miembros de las FARC se desmovilizarían”, *Semana*, 15 March 2016.

Ecuador; Secretariat member Iván Ríos, was killed by his bodyguard. In September 2010, Mono Jojoy, the most important military leader FARC has had, was killed in an aerial assault; and Alfonso Cano, its supreme commander, died in a military operation in November 2011.

Yet, FARC was never defeated on the battlefield. It recovered from its July 2008 low point via its “Rebirth Plan”. Desertions and combat deaths fell, though it never returned to the former levels of power and territorial influence. While the military and political balance greatly favoured the government, the battlefield stalemate was hard to shift.<sup>22</sup>

Since the start of the peace process, FARC strength and presence have varied little. The group claims to have 15,000 members, though the military says it numbers 13,980, including full-time combatants and militia.<sup>23</sup> It is organised in seven blocs, 51 fronts, ten mobile columns, fourteen mobile companies, four mobile commissions, a special unit to protect Eastern Bloc leaders and two urban fronts. Most fronts are composed of rural, full-time fighters as well as urban militias. FARC also has two political arms: the Clandestine Colombian Communist Party and the Bolivarian Movement.<sup>24</sup> Some local NGOs are sympathetic.

FARC can carry out military actions in about 190 municipalities across the country, in the vast majority of which it has been active for at least twenty years. About two-thirds of those had coca crops in 2014.<sup>25</sup> It is involved in the drug trade on various levels, and illegal gold mining and extortion are its other main economic activities. In many areas, it has provided mechanisms to impart justice and conflict resolution, albeit in an archaic, frequently abusive manner. More recently, the group has delegated this task to local community action boards.<sup>26</sup> While deeply involved in illegal economies, political aspirations and engagement at the local level remain fundamental to the group's identity.

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<sup>22</sup> In July 2008, during the Jaque Operation, the military tricked FARC commanders holding high-profile kidnapping victims – including former presidential candidate Ingrid Betancourt, her vice presidential running mate, Clara Rojas, and three U.S. contractors, among others – into handing them over without a shot fired. The then head of the armed forces said, “we are at the beginning of the end” of FARC. “Es el fin del fin de las Farc’: General Freddy Padilla de León”, Caracol Radio, 3 July 2008. “Logros de la Política de Defensa y Seguridad Todos por un Nuevo País”, defence ministry, June 2016. Carlos Medina Gallego, “Reingeniería militar y política de las FARC”, *Razón Pública*, 14 January 2013.

<sup>23</sup> Crisis Group interview, FARC negotiating team member, Cuba, 13 June 2016. “Las Farc tendrían 13.980 miembros”, *El Espectador*, 12 August 2016.

<sup>24</sup> “Milicias urbanas: el rostro clandestino de las Farc”, *Verdad Abierta*, 13 July 2016.

<sup>25</sup> See map in the appendices. Colombia has 1,122 municipalities. Carlos Medina Gallego (ed.), *Flujos y reflujos: La guerra en las regiones* (Bogotá, 2011). The coca data came from crossing the presence of FARC in the map in the appendix and data from UN Office on Drugs and Crime (UNODC) coca measurements for 2014, the most recent year for which municipal-level data is available.

<sup>26</sup> Ariel Ávila Martínez and Juan Diego Castro León, “Los retos en convivencia, administración de justicia y seguridad rural en el posconflicto”, Fundación Friedrich-Ebert-Stiftung en Colombia (Fescol), February 2015.

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### III. Winning the Plebiscite

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The peace talks agenda included from inception a referendum on the final deal. This was an early sticking point. FARC lobbied for a constitutional assembly to ratify the accords. In January 2013, though, President Santos said FARC should “erase that possibility from their heads ... a constitutional assembly will not be the final result from these agreements”. The group’s position began to shift in 2016, when it started calling for a “popular consultation”.<sup>27</sup> Eventually, the parties agreed to adopt the Constitutional Court’s ruling on proposals for a plebiscite on the final agreements.

The political climate for Santos and his presidency, nevertheless, is hostile. Opinion polls regularly show high discontent over numerous issues. The public has also been critical of his handling of recent industrial protests as well. In May 2016, his support reached a record low of 21 per cent.<sup>28</sup> Additionally, knowledge of the peace agreement’s contents is extremely limited, giving space to outlandish interpretations. The plebiscite is the most immediate and serious threat to the deal. Supporters need to design and deliver an effective campaign.

#### A. What is the Plebiscite?

Point six of the peace talks agenda included a referendum on the agreements. However, no existing mode of democratic participation as defined in Colombian law could be used. A referendum would have required questions on every point in the documents, 75 on the transitional justice agreement alone. Each would individually need to reach a minimum vote threshold for approval. A popular consultation would involve a general question on an issue of “national ... importance”, with the result legally binding but could not be used for a subject, like the peace agreement, that would reform the constitution.<sup>29</sup> The government offered a new formula to the Constitutional Court, whose July ruling essentially set the guidelines for the plebiscite. Approval requires a majority produced by a “yes” vote from at least 13 per cent of the qualified electorate – 4,473,282 voters – thus mirroring the threshold “implicitly established” in constitutional referendums.<sup>30</sup> Otherwise, the accords cannot be implemented.

Most public employees can campaign in favour or against the peace agreements, provided they do not use the issue as part of a party or electoral platform. Nonetheless, neither Inspector General Alejandro Ordóñez, a fierce critic of the process, nor Attorney General Néstor Martínez, who has said his service will be a firm ally of it, will be able to take part in the campaign. Nor will members of the military. Public funds and materials cannot be used, and all campaigns are to have equal access to the media.<sup>31</sup>

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<sup>27</sup> “¿Una Constituyente para la paz?”, Universidad de los Andes, January 2013. Crisis Group interview, FARC negotiating team member, Cuba, 14 June 2016. FARC was referring to a popular consultation as outlined in Colombian law.

<sup>28</sup> “Gallup Poll” #112, May 2016.

<sup>29</sup> Law 134 of 1994. “Paz: ni referendo, ni consulta, ni plebiscito”, *Semana*, 24 January 2015.

<sup>30</sup> “Presidente no necesita aprobación para firmar la paz: magistrada Calle”, *Semana*, 22 July 2016. “Mapas de riesgo electoral 2016: Plebiscito para la refrendación del acuerdo del acuerdo de paz”, Misión de Observación Electoral, August 2016, p. 5. The National Electoral Council (CNE) defined and published the specific campaign rules once Santos officially called for the plebiscite. See “Resolución 1733 de 2016”, Consejo Nacional Electoral, 31 August 2016.

<sup>31</sup> “Sea cual sea el gobierno, debe acatar mandato del plebiscito”, *El Tiempo*, 24 July 2016. “La Fiscalía será un gran aliado del proceso de paz: Néstor Humberto Martínez”, W Radio, 9 June 2016.

The Court further ruled that the plebiscite is only binding on the president. If “yes” wins, Santos and any future president must implement the agreements. The only way a new administration could legally avoid doing so would be by another plebiscite. The government has also stated that if it loses in October, renegotiation would not be possible.<sup>32</sup> Lastly, the plebiscite sets in motion the mechanisms for Congressional approval and constitutional inclusion of the peace agreements, laid out in the Legislative Act for Peace, which the opposition plans to challenge in the Constitutional Court.

### B. *The Opposition*

Ex-President Uribe, who spearheads opposition to the agreement, is a powerful and divisive politician.<sup>33</sup> The Democratic Centre Party (PCD), of which he is the de facto leader, states that it is against not peace but how the negotiation was conducted. It argues that FARC should have declared a unilateral ceasefire and ended involvement in criminal activities as a precondition and that the military should have been allowed to attack the group until it disarmed, even during a unilateral FARC ceasefire.<sup>34</sup> It further insists that drug policy, land reform and the country’s “economic model” should have been excluded from negotiations.<sup>35</sup>

The party asserts that discussion of these and other issues “runs the risk of creating more conflict”;<sup>36</sup> and it takes particular exception to allegedly “total impunity” for FARC leaders who committed grave human rights violations during the conflict.<sup>37</sup> It further believes the transitional justice plan ensures that FARC members convicted of such crimes will avoid jail, there will be impunity for drug trafficking, and the group’s illicitly-gained resources will be converted into legal assets. Additionally, it is adamant that combatants who have committed the most serious crimes should not be allowed to participate in democratic politics.<sup>38</sup>

The PCD has been persuasive. A July poll found that 58 per cent of Colombians believe impunity will perpetuate the conflict; 88 per cent agree that FARC leaders should pay for crimes by going to jail; and 75 per cent feel FARC leaders should not be allowed into politics.<sup>39</sup> Support for these arguments has been consistently strong, though overall views on the peace process have been far more elastic.<sup>40</sup> The agree-

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“Presidente no necesita aprobación”, op. cit. “Comunicado No. 30”, Corte Constitucional de Colombia, 18 July 2016.

<sup>32</sup> Corte Constitucional, op. cit. “Sea cual”, op. cit. Crisis Group interview, government official, Bogotá, 9 August 2016.

<sup>33</sup> In an Ipsos poll, Uribe received the highest positive rating of many political figures, 53 per cent; 43 per cent gave him a negative rating. “Repunta la paz”, *Semana*, 3 July 2016.

<sup>34</sup> Crisis Group interviews, PCD Representative, Bogotá, 16, 22 June 2016. The FARC, though, would never have accepted these conditions. See Carlo Nasi, “¿No al diálogo de Santos con las FARC? ¿cuáles son los argumentos?”, *Razón Pública*, 14 April 2014.

<sup>35</sup> See the PCD’s Civil Resistance movement platform, “Proclama ‘La Paz Que Queremos’”.

<sup>36</sup> Crisis Group interview, PCD Representative, Bogotá, 16 June 2016.

<sup>37</sup> Uribe, now a senator, has used these exact words on multiple occasions. Recently, see “Uribe le pide a Bernie Aronson ‘no ignorar las trampas del plebiscito’”, *El Tiempo*, 5 July 2016.

<sup>38</sup> Crisis Group interview, PCD representative, Bogotá, 16 June 2016.

<sup>39</sup> “Repunta la Paz”, op. cit. “Gran Encuesta”, *Semana*, 7 August 2016.

<sup>40</sup> Support for the process has responded to milestones, lack of progress and violence. It increased seventeen points after the 23 June agreements and fell fifteen points after the FARC attack in Bue-

ments on participation in politics, including ten guaranteed FARC seats in Congress for two terms from 2018, and the law defining use of amnesties will weigh heavily on voters' minds.

The PCD also argues that the plebiscite campaign will be skewed in the government's favour and that a referendum allowing votes on multiple separate questions instead of the peace package as a whole would be far better. It likewise objects that officials can voice their opinions, saying those arguing for "no" risk their posts, and it considers there are no guarantees of equal media access.<sup>41</sup>

Some within the party have lobbied for mass abstention to deny the plebiscite a degree of democratic legitimacy.<sup>42</sup> After an internal debate, however, the party chose to support the "no" campaign. It insists it does not want resumed war but rather an agreed peace with FARC on new terms.<sup>43</sup>

Despite the polarisation the campaign is sure to foster, the government has frequently said the opposition is guaranteed a level playing field. To ensure a legitimate result, the authorities must assure as far as possible balanced media coverage. Claims of inequitable access are already frequent, so oversight is essential. State and electoral authorities will also have to patrol carefully the thin line between permitted education regarding the peace process and prohibited active campaigning for a "yes" vote.<sup>44</sup>

If the PCD's arguments sway a majority of voters, the country will face the prospect of highly volatile political and security conditions, most likely a return to conflict. If the party fails, however, its active involvement in the plebiscite campaign should provide legitimacy to the vote.<sup>45</sup>

### C. *Mobilising the "Yes" vote*

A successful vote for the peace agreement is not a given. Many factors will be crucial, above all explaining the merits of its more controversial aspects. Though Colombians may not consider the terms ideal, they are the result of an exhaustive negotiation proceeding from a military stalemate. FARC changed its position on transitional justice, agreeing both to "deprivation of liberty" and potential jail sentences for those who do not promptly admit their crimes. Furthermore, the opposition's insistence that undesirable parts of the deal can be renegotiated if the "no" campaign wins, is tendentious. FARC has made clear it will not accept preconditions for talks that re-

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nos Aires, Cauca in April 2015 that broke its unilateral ceasefire and killed eleven soldiers. "Gallup Poll Colombia" #113, July 2016, p. 98; *ibid.*, #106, April 2015, p. 101.

<sup>41</sup> Crisis Group interview, PCD representative, Bogotá, 22 June 2016. The Constitutional Court ruling prohibits political, budgetary or work-related pressures or consequences for taking either side in the campaign. Corte Constitucional, *op. cit.*

<sup>42</sup> The party knows abstention's power well. When Uribe held a referendum in 2003, fourteen of fifteen questions fell agonisingly short of the 25 per cent minimum voter threshold, though the government won overwhelmingly on them. Constanza Amézquita Quintana, "Fuerzas políticas movilizadas ante el referendo de 2003 en Colombia", *Análisis Político*, vol. 63, pp. 78-102. On one question, 24.97 per cent voted 93 per cent in favour.

<sup>43</sup> Crisis Group interview, PCD representative, Bogotá, 16 June 2016.

<sup>44</sup> Crisis Group interviews, government official, Bogotá, 15 June 2016; Colombian electoral expert, Bogotá, 21 June 2016.

<sup>45</sup> Crisis Group interviews, senator, Bogotá, 26 May 2016; government official, Bogotá, 9 August 2016. In his speech announcing the "no" campaign, Uribe consistently labeled the plebiscite "illegitimate". Álvaro Uribe, "Nuestra campaña por el No", 3 August 2016.



semble surrender, including those the PCD proposed. Voting “no” in the belief it will lead to harsher treatment of FARC leaders rests on a misperception of political and conflict realities.

Even so, the “yes” campaign faces many large challenges, including negative perceptions of the president’s and his government’s overall record. Santos has had several dips in popularity since assuming office in 2010. Polls regularly reveal high levels of discontent with government performance, including in areas such as security, corruption, the economy, unemployment, drug trafficking, health and education. Persuading the public to differentiate between Santos, his government and the peace deal is thus a significant challenge.<sup>46</sup>

A further challenge derives from widespread ignorance of the agreement’s contents that is especially acute in areas affected by the war. Greater and more sophisticated education is needed not only to ensure victory, but also to increase voter turnout. Colombia has Latin America’s lowest turnout rates. Should there be participation typical of a presidential election, a winning campaign might cross the low threshold set for the plebiscite to be binding but still lack a clear claim to legitimacy.<sup>47</sup>

Civil society mobilisation in support of the peace process has been limited and largely eclipsed by the government’s role, though it has increased in the plebiscite campaign. The contribution of political parties and civil society will be vital, as they can argue that they are independent of Santos but support peace. Certain parties’ ability to reach parts of the electorate the government would find it difficult to galvanise – notably the far left, which supports parties such as the Democratic Pole – makes them essential partners for winning the plebiscite. Parties see the vote as a precursor to the 2018 presidential election. Most and their leaders quickly defined their positions, but not Vice President Germán Vargas Lleras, the leader in effect of the Radical Change party. He was comparatively silent on the peace process, a diffidence largely explained by his presidential ambitions.<sup>48</sup>

Whichever organisations are involved in mobilising the vote, a communications strategy that conveys the importance of peace while downplaying the role of Santos

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<sup>46</sup> “Gallup Poll” #112 and #113, May 2016, July 2016. Santos’s numbers have improved since announcement of the 23 June agreement, however. Crisis Group interviews, senator, Bogotá, 17 and 20 June 2016. Beyond Santos himself, the controversy surrounding the revision of “manuals for coexistence” regarding sexual issues, which led to marches by thousands in different cities against “gender ideologies” and Education Minister Gina Parody, drove religious institutions such as the Catholic Church away from support for the “yes” campaign. Gina Parody was recently put in charge of the government “yes” campaign despite being the currently most unpopular minister in the country. See “Gina le agua el voto cristiano al Go-bierno”, *La Silla Vacía*, 10 August 2016. “Gallup Poll” #114, August 2016.

<sup>47</sup> Crisis Group interviews, community leader, Guaviare, 16 March 2016; community members, Cauca, 31 May, 1 June 2016; reconciliation expert, Bogotá, 2 May 2016. Colombia is the one Latin American country with presidential election participation regularly between 32 and 50 per cent. “Abstencionismo electoral en Colombia: una aproximación a sus causas”, *Registraduría Nacional del Estado Civil*, 2013, p. 11. Crisis Group interview, senator, Bogotá, 20 June 2016.

<sup>48</sup> Santos allied with Piedad Córdoba, ex-leftist politician leading the “Peace is with you” campaign, whose base is numerous social organisations. “Vamos por 10 millones de votos: Piedad Córdoba”, *El Espectador*, 19 July 2016. “¿Qué hará Vargas Lleras con la paz?”, *Semana*, 4 June 2016. Vargas Lleras gave an interview in late August supporting the peace agreement and “yes” campaign but “with reservations”. He also stated his silence was because it was not an issue on which the president had asked him to focus. “Vamos a volver a derrotar a las FARC, pero en las urnas”, *Semana*, 28 August 2016.

is imperative.<sup>49</sup> The government, parties and civil society have been less adept than the opposition in producing simple, resonant messages. Despite the PCD's claim that its positions have been twisted, it has strong public support in part because its arguments backing prison for war criminals and no political privileges for FARC are easy to grasp.

The response has to be direct and simple, specifying that the agreement determines that those most responsible for serious crimes will be deprived of liberty for five to eight years.<sup>50</sup> To qualify for this commuted sentence, they must voluntarily recognise their responsibility and provide full, detailed information on their crimes. Failure to do so could result in up to twenty years' imprisonment. There will be no amnesty for "crimes against humanity, genocide, war crimes, kidnapping, extrajudicial killings, disappearances and rape".<sup>51</sup> Specifying the benefits of FARC leaders taking part in concrete activities for their victims, instead of all being in jail, may also better steer debate toward support for peace. Arguments in favour of the agreements would be further strengthened if the relationship between FARC political participation and its transitional justice obligations were clarified before the vote.

The government has already begun a major initiative to disseminate the peace agreement's contents. Besides simple, effective messages, the communications strategy must also address the urban population, the heartland of opposition. Rural populations are also often short of information. They should not be assumed to be automatic supporters of peace simply because they suffered in the war. A local community member in Cauca asked: "Why am I going to vote if I do not know for what I am voting?" Describing specific peace dividends to conflict-affected communities could help to counter the many peace opponents in rural areas. These include large landowners who may think their property is at risk and be irritated by the government's land restitution policy. Some large landholders who oppose national policies they perceive as harmful to their interests have a history of using violence through alliances with illegal armed groups. There is good reason to think these alliances could continue in response to efforts to enforce the agreements, including rural reform.<sup>52</sup>

#### D. *A Role for FARC*

FARC must play a key role for the campaign to win. The agreement on security guarantees states that it will "promote the content of the agreements" in any way "within its capacities".<sup>53</sup> A general wariness toward FARC across urban society makes it essential the group show the peace agreements to be positive even before implemen-

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<sup>49</sup> Crisis Group interview, senator, Bogotá, 17 June 2016.

<sup>50</sup> "Acuerdo Final", op. cit., p.147. Those with a role in crimes but not directly responsible will get two to five years punishment, while those directly responsible will get five to eight years, if they immediately acknowledge responsibility. Those who acknowledge their role only after resisting will receive five to eight years imprisonment. Those who acknowledge nothing will receive, if found guilty, fifteen to twenty years in prison.

<sup>51</sup> "Acuerdo Final", op. cit., p. 133 and 136.

<sup>52</sup> Crisis Group interviews, reconciliation expert, Bogotá, March 2016; community leader, Guaviare, 16 May; community leaders, members, Cauca, 31 May, 1 June; senior diplomat, Bogotá, 10 May, 27 May; analyst, Bogotá, 25 May; senator, Bogotá, 20 June, all 2016. In Córdoba, for example, private violence dates back to land conflicts in the 1930s. Alliances for private violence also existed in the 1980s and 1990s. *Dinámica de la violencia en el departamento de Córdoba 1967-2008*, Observatorio del Programa de Derechos Humanos y DIH (Bogotá, 2008).

<sup>53</sup> "Acuerdo Final", op. cit., p. 70.

tation and demonstrate its good faith. Even without knowing the details, the public may vote “yes” if it perceives concrete benefits and improved security before the plebiscite. Any FARC activity in this period that could be construed as “politics with weapons”, however, would seriously damage the “yes” campaign.<sup>54</sup> Finally, it is essential that FARC make clear gestures proving commitment to peace and regret for lives lost in the conflict *before* the plebiscite. These could include the partial assembly of its forces and a symbolic destruction of some unstable weapons, per the 23 June agreement.<sup>55</sup>

A number of potentially resonant apologies stand out. It could focus on events such as the 2007 killing of eleven deputies from Valle del Cauca, kidnapped in 2002, or the 2003 Nogal nightclub bombing in Bogotá, which killed 36. It also could apologise and recognise the damage done by its more systematic wartime actions, such as kidnapping, extortion or even drug trafficking. Whatever the actions FARC recognises, they need to resonate with society as a whole. The government would then need to reciprocate by acknowledging its role in certain crimes, such as the decimation of the Patriotic Union, state abandonment of the regions that suffered much of the war or the innocent people security forces killed under the pretext of their being guerrillas (the “false positives” issue). These government and FARC acknowledgements would also help mobilise Colombians considering abstaining from the plebiscite.

FARC should also completely comply ahead of the plebiscite with the agreement to release children under fifteen from its ranks.<sup>56</sup> Drawing attention to the underage recruitment issue might prompt the opposition to take advantage, but the humanitarian case for the release of child recruits makes early compliance with the agreement an important test of willingness to fulfil the peace accords. Early cooperation might also begin on other agreements. Giving the authorities some information on its role in the drug trade would help convince the public of the sincerity of its pledge to sever links to cocaine production and trafficking. Collaborating with the International Committee of the Red Cross to help find the remains of disappeared people would show FARC as willing to take part in the transitional justice mechanisms it helped create.<sup>57</sup>

Finally, FARC must not coerce votes for peace and publicly state that it will not do so. The Constitutional Court highlighted this obligation. Some local communities argue that coercion during the campaign would mean that the negotiations were wasted. “There cannot be any pressure”, a local leader said. “If there is, we will have achieved nothing”.<sup>58</sup>

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<sup>54</sup> “Gallup Poll” #112, op. cit., p. 94; Crisis Group interviews, government official, Bogotá, 16 June 2016; community leader, Guaviare, 16 May 2016; journalist, Bogotá, 28 June 2016.

<sup>55</sup> The parties have been working on and will begin to implement a protocol on the “pre-concentration” of FARC forces after 29 August and during the FARC’s tenth conference.

<sup>56</sup> The process for FARC to release the children under fifteen from its ranks will begin on 10 September. “Comunicado Conjunto No 96”, Government of Colombia and FARC-EP, 2 September 2016.

<sup>57</sup> Crisis Group interview, peace expert, Bogotá, 16 June 2016. The group says it has 21 children; the defence ministry says 170. “Sin consenso sobre niños que están en filas de Farc”, *El Colombiano*, 19 May 2016. Since October 2015, FARC information has led to handover of the remains of only one person. Crisis Group interview, government official, Bogotá, 9 August 2016.

<sup>58</sup> Corte Constitucional, op. cit., p. 330. Crisis Group interview, community leader, Guaviare, 16 May 2016.

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## IV. Implementing the 23 June Agreements

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The ceasefire and security agreements touch on the core of FARC's identity as an insurgency and are a landmark in the transition from armed conflict to peace. But the final agreement has yet to be signed and approved. Once it is, practical, political and logistical issues could easily arise that would risk escalating into major political problems at the onset of the cantonment and handover of weapons processes. A good start, even before the vote, would help the public believe in peace; a poor start would do the opposite. Uniformed FARC fighters and militia are to prepare for civilian life in 28 sites in localities characterised by the presence of other armed actors, weak state authority and/or illicit economies. A successful early transition in these environments depends above all on three variables: security, FARC cohesion and relationships with local communities.

### A. Security

Threats to the security of FARC and surrounding communities are highly likely to affect the process for laying down weapons. Mainly those FARC members who leave the cantonment sites to do political work will face risks.<sup>59</sup> Community members in Cauca, Guaviare and Putumayo all expressed concerns for their security that ranged from other illegal armed groups to the entry of the armed forces into their communities. A rural inhabitant in Putumayo frankly stated, "If the post-conflict is so violent, just let us live with the war".<sup>60</sup>

Security threats for FARC combatants who can leave the TVZNs will mainly stem from two sources: community members seeking revenge for guerrilla attacks, and other illegal armed groups. Revenge attacks and killings are most likely where FARC is perceived to have been especially abusive toward the population, places such as Catatumbo and Caquetá. This could become a more generalised threat if those looking for revenge decide not to attack the fighter responsible for their grievances, but anyone even loosely related to the group. People connected to FARC who are not referred to the cantonment sites, such as civilian supporters, will run this risk, as victims may see them as easy targets once the armed group can no longer protect them. While the 23 June agreements cover personal protection for fighters who exit the TVZNs, it is important FARC understand that doing so will take place under imperfect security conditions.<sup>61</sup>

Threats could also come from other illegal armed groups. FARC has said its biggest concern is what it calls paramilitary groups and a repeat of the UP experience.<sup>62</sup>

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<sup>59</sup> Major security threats are unlikely for FARC members who do not leave the TVZN until it is closed. This section focuses on threats for those who do leave the TVZNs. A group of ten will be able to leave each, and up to eight from each smaller camp site, while 60 members will move nationally. When members leave the TVZNs, the protocols in the security guarantees agreement will apply; coordination with the military will occur and specific routes and timelines used.

<sup>60</sup> Crisis Group interview, local community member, Putumayo, 19 March 2016.

<sup>61</sup> Crisis Group interviews, analyst, Bogotá, 24 May 2016; peace expert, Bogotá, 16 June 2016.

<sup>62</sup> While the Gaitan Self-Defense Forces (AGC, Clan Úsusa) has said it will "respect" the cantonment sites and be a "neutral but not indifferent observer", social pressure and an incompletely consolidated internal local hierarchy means it still represents a threat to FARC members during the ceasefire. "Comunicado a la opinión pública", Autodefensas Gaitanistas de Colombia, 17 July 2016. Crisis Group interview, FARC negotiating team member, Cuba, 9 June 2016.

Armed groups looking to control areas and illicit businesses FARC vacates may use revenge-based conflicts to gain acceptance with part of the local population.<sup>63</sup> The ELN has added that its ongoing conflict with the state will make monitoring and verifying the ceasefire with FARC more difficult.<sup>64</sup>

Other illegal armed groups mainly pose a security challenge outside the camps, especially in areas where FARC previously had a monopoly of territorial control. For example, La Constru, a local neo-paramilitary group previously sub-contracted by the Rastrojos group but now independent, plans on taking over the drug trade in Putumayo once FARC abandons its weapons. This is already occurring elsewhere, with the Clan Úsuga, regarded as Colombia's largest criminal group, moving into areas such as Meta and Nariño.<sup>65</sup> The increase in coca cultivation reported in 2015 also creates larger incentives for others to take over coca-producing regions. All communities consulted for this report expressed concern over other armed groups staking out territory once FARC leaves. This fear also extended in some cases to the arrival of the armed forces.<sup>66</sup>

The ELN is another risk for the communities FARC leaves. It already looked to fill these spaces, as shown by its increasing presence along the Pacific coast. There have also been increasing reports of FARC members going over to the ELN, though the latter denies this.<sup>67</sup> Some community leaders interviewed stated they thought it likely the ELN would expand into their communities. If it tries to take control of an area at the same time as Clan Úsuga, the result is likely to be a spike in armed violence, as has occurred in Bajo Cauca Antioqueño and Chocó.<sup>68</sup>

Managing these challenges requires the successful implementation of security guarantees and protocols. This, though, is unlikely to deter all attacks on FARC combatants or community members. Revenge attacks could be deterred to an extent by

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<sup>63</sup> This is a typical strategy for armed groups to gain social support and territorial control during the conflict. See, for example, Mario Aguilera Peña, *Las FARC: La Guerrilla Campesina, 1949-2010. ¿Ideas circulares en un mundo cambiante?* (Bogotá, 2010). For the paramilitary case, see Gustavo Duncan, *Los Señores de la Guerra* (Bogotá, 2006). Internationally, see Stathis Kalyvas, *The Logic of Violence in Civil War* (London, 2006).

<sup>64</sup> "La Voz de la Insurrección N°535", Radio Nacional Patria Libre – ELN, 27 June 2016.

<sup>65</sup> Crisis Group interview, conflict analyst, Bogotá, 23 May, 2016. "Bandas criminales del Meta buscan ocupar espacios de las Farc", *Llano 7 días*, 4 February 2016. "La mala hora de Tumaco", *Semana*, 23 April 2016. "Bandas criminales continúan azotando a la Costa Pacífica", *El Espectador*, 6 November 2014.

<sup>66</sup> "Monitoreo de territorios afectados por cultivos ilícitos 2015", UNODC, July 2016. The Alto Mira area of Tumaco (Nariño), central Caquetá, and rural lower Putumayo region have seen recent increases in coca growth and are areas where FARC exercises hegemonic control. Crisis Group interviews, community members and leaders, Putumayo, 20 March 2016; Guaviare, 14-15 March 2016; Cauca, 31 May 2016.

<sup>67</sup> For example, there have been armed actions by and against the ELN in Tumaco and Guapi, areas where the group has not been present for at least a decade. Some cases are hard to confirm. There is information in Cauca, but in Bajo Cauca Antioqueño, FARC and ELN work closely so may have created a false perception of new allegiance. Crisis Group interview, conflict analyst, Bogotá, 10 May 2016; private communication, Free Country National Radio (RANPAL) ELN authorised spokesperson, 11 July 2016.

<sup>68</sup> Crisis Group interview, community leader, Guaviare, 16 May 2016. "Colombia – Desplazamiento masivo y restricciones a la movilidad en Alto Baudó (Chocó)", UN Office for the Coordination of Humanitarian Affairs (OCHA), 25 February 2016.

FARC's public recognition of its role in abuses in the regions with cantonment sites.<sup>69</sup> The apologies mentioned earlier could help begin reconciliation efforts as well as increase the chance for a positive plebiscite result.

Preventing the disaster that befell the UP is a *sine qua non* for peace. The risk of an assassination campaign is less likely now due to the increased international profile of the peace process and the state's and military's understanding of the importance of avoiding it. Targeted killings as FARC lays down its weapons, however, could scupper the process. One guerrilla commander said the group has decided to go for peace, even if some members are killed; another said simply, "if they start killing us [on a large scale], we will go back to the armed struggle". To counter these risks, detailed preparation and coordination of trips by FARC members outside the TVZNs will be fundamental. Also, security protocols may need to be adjusted locally.<sup>70</sup> The parties must be able to count on reliable, timely information regarding the ground situation outside the TVZNs and to adjust protocols accordingly, for example by increased police presence, more bodyguards or varying the vehicles in which FARC members travel.

The armed forces will also have to fill the power vacuums FARC leaves before others do. They have prepared extensively for this, while giving firm support to the peace process. Timing is a first problem. Other armed actors are already taking over some territories, making it harder for the state to gain control. A second stems from the distant, often hostile relationship between the state and these communities. Some community leaders in one area expressed interest in obtaining FARC weapons to continue the fight against the state.<sup>71</sup> The armed forces need to embark on some form of reconciliation or dialogue process with these communities to ensure their presence is not a source of more antagonism, while simultaneously enabling civilian state institutions to begin to operate in these areas.

A 22 April presidential directive instructs the armed forces to use their full coercive apparatus against certain neo-paramilitary groups, including bombing raids. The government argues this is important, since many rural operatives are housed in guerrilla-like camps that could be bombed in a similar way to the sorties carried out against FARC.<sup>72</sup> However, disproportionate use of force would lead to continued tensions between local communities and the state and little change in effective state presence. In a worst-case scenario, too much military force could push these groups to become spoilers of the peace process and even affect the tripartite mechanism.<sup>73</sup> Military force should be used selectively against these criminal groups, and would be

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<sup>69</sup> Crisis Group interview, conflict analyst, Bogotá, 23 May 2016.

<sup>70</sup> Crisis Group interview, FARC negotiating team members, Cuba, 9, 13 June 2016. For more on the UN mission, its mandate and the tripartite mechanism, see the next section.

<sup>71</sup> Crisis Group interviews, community leaders and members, Putumayo, 20 March 2016; Guaviare, 14-16 May 2016.

<sup>72</sup> These groups, labelled in the directive signed 22 April as "organised armed groups", are the Clan Úsuga; the EPL in Catatumbo, which the government labels Los Pelusos; and Los Puntilleros (remnants of the old Ejército Revolucionario Popular Antiterrorista Colombiano (ERPAC) in the eastern plains). Presidential Directive no. 15 is at [www.mindefensa.gov.co/irj/go/km/docs/Mindefensa/Documentos/descargas/Prensa/Documentos/dir\\_15\\_2016.pdf](http://www.mindefensa.gov.co/irj/go/km/docs/Mindefensa/Documentos/descargas/Prensa/Documentos/dir_15_2016.pdf). "Vía libre para bombardear a las tres bandas criminales más fuertes", *El Tiempo*, 6 May 2016.

<sup>73</sup> Crisis Group interview, conflict analyst, Bogotá, 30 August 2016.

better focused on protecting communities and criminal investigators carrying out judicial inquiries.<sup>74</sup>

Finally, campaigns to eradicate coca plants by hand in the months leading up to the peace agreement have undermined state legitimacy in many communities economically dependent on illicit crops.<sup>75</sup> Continued campaigns will have to negotiate the difficult balance between easing international pressure to reduce coca cultivation and minimising damage to state legitimacy on a local level in the early post-conflict period. It is vital to maintain negotiations with communities that resist eradication, despite political costs it may incur elsewhere. At the same time, prioritisation of coca paste and cocaine interdiction has meant seizures have slightly increased relative to production surges; this deserves to be maintained.<sup>76</sup>

### B. *FARC Cohesion*

The uncoordinated dispersion of trained, disciplined combatants in territories known for violence could contribute to new armed configurations. FARC cohesion is needed to prevent this and is also essential for the group to become a viable political party, the peace agreement to be honoured and weapons to be handed over completely. The UN mission would also find its job much harder if FARC fragmentation preceded cantonment, as it might not be able to report on all armed deserters.<sup>77</sup>

While debate was intense in the early stages as to which FARC fronts would not take part in peace talks, this concern decreased over time. FARC public statements originally referred to a possible handful of fighters that might “get off track” and not participate. Over time, though, FARC came to recognise that it would not be an exception to the rule that there are dissidents in any peace process.<sup>78</sup> On 10 June, its First Front, from Guaviare and also known as the Armando Ríos Front, released a communiqué stating that it would not take part in the peace process. Despite shifting views in First Front factions, the dissident members met with community leaders in late July and throughout August to explain their view. Their rebellion turned violent when they detonated a motorcycle bomb in El Retorno, Guaviare on 10 August.<sup>79</sup>

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<sup>74</sup> The directive also can be interpreted as a signal to FARC of the state's willingness to fight what the guerrillas call paramilitary groups and a message to the military that its domestic role will not diminish in the immediate post-conflict period. Maria Emilia Lleras, “Análisis a la Directiva Permanente No. 15 de 22 de abril (Ministerio de Defensa Nacional)”, Indepaz.

<sup>75</sup> Crisis Group interviews, community leaders and members, Putumayo, 19-20 March 2016; Guaviare, 14-16 May 2016. Colombia suspended aerial fumigation in May 2015.

<sup>76</sup> In 2014, Colombian cocaine production was 442 metric tons, of which at least a third was seized. In 2015, 646 metric tons were produced, of which at least 39 per cent was seized. These numbers do not include coca leaf and paste interdiction. “Colombia: Monitoreo de territorios afectados por cultivos ilícitos 2015”, UNODC, July 2016, p. 11.

<sup>77</sup> If FARC members on the lists of combatants handed over by the group do not abandon their weapons, the UN mission will be able to respond and report. If FARC members or groups of members desert and do not appear on lists, the mission will be unable to report incomplete FARC implementation.

<sup>78</sup> “FARC, Peace and Possible Criminalization”, Insight Crime, May 2013. “Démosle una oportunidad a la paz de Colombia: Timochenko”, *Semana*, 30 January 2016. Crisis Group interview, FARC negotiating team member, Cuba, 9 June 2016.

<sup>79</sup> The communiqué is at [www.cedema.org/uploads/FPAR\\_2016-06-10.pdf](http://www.cedema.org/uploads/FPAR_2016-06-10.pdf). Crisis Group telephone interview, community leader, Guaviare, 5 August 2016. “El primer ataque del frente disidente de las FARC”, *Semana*, 11 August 2016.

FARC cohesion could be endangered in various ways. Dissident units, such as those in the First Front, may have no intention of laying down their weapons, especially for reasons connected to the lucrative control of illicit economic activity. Though the group's internal pedagogy has reportedly made progress in averting possible schisms, there is information that certain units beyond the First Front are also divided on the peace process.<sup>80</sup> These include the Daniel Aldana Front in Tumaco, from which at least 45 militia members have reportedly broken off.<sup>81</sup> Communities in conflict-affected areas are doubtful that entire units will lay down their arms, for reasons that range from their economic interests to the ongoing social grievances that led to joining the insurgency in the first place. Newly created FARC structures in areas with recent guerrilla presence are likely to be highly vulnerable to ruptures as well.<sup>82</sup>

Mid-level commanders are another source of unease. They have enough knowledge of and contacts in illegal businesses to operate independently in the post-conflict period. They also have the most to lose in peacetime: they could be held responsible for some of the most serious crimes, will no longer handle the money they are used to and will likely lose influence over the fighters they currently control.<sup>83</sup> A typical DDR process may not offer enough incentives to join the peace process.

Militia fighters who live in urban areas are another concern. They give intelligence and logistical support, are involved in obtaining financial resources mainly by extortion and the drug trade and occasionally perform military actions. As noted, it is largely they who have broken away from the Daniel Aldana Front. FARC historically has had difficulty maintaining complete control over militia fighters.<sup>84</sup> Divisions within militias may well occur before the cantonment phase, instead of after, as is likely with rural fronts.

Certain reincorporation activities will likely come at the cost of collective identity. Some FARC combatants will want to abandon the group and opt for an individual route back into civilian life or none at all once they lay down their weapon. While FARC is concerned about the size of these withdrawals, it has said any member who does not want to take part in its political work after the peace agreement will be free to leave.<sup>85</sup> These cases will need to be reported and monitored, possibly by National Council for Reincorporation, created by the final peace agreements, and/or the Co-

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<sup>80</sup> Crisis Group interview, conflict analyst, Bogotá, 9 May 2016.

<sup>81</sup> The Daniel Aldana Front stated support for the peace process after the First Front announced opposition. "En el Frente Daniel Aldana respaldamos los diálogos de La Habana", 16 July 2016. After the murder of Genaro García, local Afro-Colombian leader in Tumaco, the Daniel Aldana Mobile Column became a front, and its commander alias "Rambo" was demoted. Its current commander is alias "Leonel Paéz". Crisis Group interview, conflict analyst, Bogotá, 9 May 2016.

<sup>82</sup> Crisis Group interviews, community leaders and members, Putumayo, 19-20 March 2016; Guaviare, 14-16 May 2016; conflict analyst, Bogotá, 11 May 2016.

<sup>83</sup> Crisis Group Report, *The Day after Tomorrow*, op. cit., p. 15. Ariel Ávila Martínez, "Mandos medios", *Semana* (online), 20 July 2016.

<sup>84</sup> See Jaime Eduardo Jaramillo, Leonidas Mora and Fernando Cubides, *Colonización, coca y guerrilla* (Bogotá, 1986), pp. 252-253; Centro Nacional de Memoria Histórica, *El Placer: Mujeres, coca y guerra en el bajo Putumayo* (Bogotá 2014), pp. 97-100. Crisis Group interview, community leaders, Putumayo, 21 March 2016; phone interview, priest, Cartagena del Chairá, 26 July 2016.

<sup>85</sup> María Clemencia Castro and Carmen Lucía Díaz (eds.), *Guerrilla, Reinserción y Lazo Social* (Bogotá, 1997), pp. 33-43, 79-85. Crisis Group interviews, DDR expert, Bogotá, 2 May 2016; FARC negotiating team member, Cuba, 9 June 2016.



Colombian Reintegration Agency (ACR), which should offer its services to those who opt for an individual, independent reintegration process.

The fear of an unknown future or feeling of a loss of power could create other divisions.<sup>86</sup> This is especially possible for fighters who have spent decades in the insurgency. Some may not be able to handle the transition to civilian life. The FARC leaders do not expect this to be a common problem, but with the ELN and neo-paramilitary groups active, it will not be difficult for a fighter to remain in active combat. There is evidence this has already occurred in Cauca, where as many as 100 FARC members may have gone over to the ELN.<sup>87</sup>

The transitional justice issue could also split FARC into those with and without amnesty. While transitional justice mechanisms will take time, clearly eligible combatants will be granted it while still in the cantonment zones. Higher ups are in general less likely to receive an amnesty; many will be prosecuted for serious crimes, but also are more likely to want to participate in politics.<sup>88</sup> It is possible that not every fighter who should pass through the transitional justice mechanisms will want to; some may desert to other armed groups rather than appear before the Special Jurisdiction for Peace.

In combination, these challenges to FARC cohesion are serious but can be met through various responses. Blunt, coercive approaches are readily at hand. The military has made clear that any FARC dissident group will have to contend with it, and FARC in effect expelled the First Front.<sup>89</sup> Such approaches would nevertheless best be complemented with more subtle and persuasive means.

A crucial first event is FARC's tenth conference, to be held between 13 and 19 September, to give approval to the peace agreement and justify it as a victory. Once installed in the cantonment zones, one way to reinforce cohesion and the support of mid-level commanders is to carry out reincorporation activities aimed at providing for members' long-term needs.<sup>90</sup> This would have to begin after the census of fighters outlined in the peace agreements is finished.<sup>91</sup> Activities should include education, psychosocial attention and political debate. Mid-level commanders will need to implement some in order to mitigate their feelings of losing power in the organisation.

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<sup>86</sup> Individual demobilised FARC fighters have already decided to leave the war, which helps explain lower recidivism rates than paramilitary counterparts. In most peace processes, leadership imposes collective demobilisation, but there may be fighters who do not want to leave the war yet. This occurred with the paramilitary Autodefensas Unidas de Colombia (AUC) and could test FARC cohesion, as seen with the First Front. Oliver Kaplan and Enzo Nussio, "Explaining Recidivism of Ex-combatants in Colombia", *Journal of Conflict Resolution*, published first online, 10 May 2016, p. 16.

<sup>87</sup> Crisis Group interviews, DDR expert, Bogotá, 4 May 2016. FARC negotiating team member, Cuba, 9 June 2016; conflict analyst, Bogotá, 11 May 2016. For a FARC expression, see "Farc guerrillas: last days of blood in Colombia", *The Guardian*, 27 November 2015. *Guerrilla, Reinserción*, op. cit.

<sup>88</sup> Crisis Group interviews, transitional justice experts, Bogotá, 3, 5 May 2016; government official, Bogotá, 20 May, 2016; Conflict analyst, Bogotá, 11 May 2016.

<sup>89</sup> "Este es el frente de las Farc que amenaza con no desmovilizarse", *El Tiempo*, 6 July 2016. "Comunicado sobre el Frente Primero Armando Ríos", FARC-EP, 8 July 2016.

<sup>90</sup> It is important that these activities go beyond short-term reinsertion measures designed to cover basic necessities. They must show fighters that the government, FARC and other actors are committed to their long-term well-being and reincorporation.

<sup>91</sup> The census of FARC fighters is to be completed 60 days after entry into the TVZNs. "Acuerdo Final", op. cit., p. 66.

For example, literacy training for fighters unable to read and write could be done in TVZNs with mid-level commanders as teachers.<sup>92</sup>

Psychosocial assistance should begin in the cantonments. Psychological problems are common among those who have spent years at war; the shock of no longer constantly having a weapon can be devastating. This is one of the essential dimensions of the ACR reintegration program to guide ex-combatants into civilian life and help them manage the impulses that drove them into armed violence.<sup>93</sup> This help should be given at group and individual levels to better control the individualising effects of reincorporation and respect gender differences.

There also needs to be space for political debate within the cantonment zones. FARC argues that it has focused exclusively on political, cultural and social training in its camps since the de-escalation measures and unilateral ceasefire began in July 2015. Continuing to do so in the TVZNs would allow combatants who cannot leave the zones to feel they are still taking part in political work and help ease the transition by providing a familiar routine.<sup>94</sup> This would also give FARC confidence in defining its political platform and the goals of the think-tank it is to create in the post-conflict period.

The activities mentioned here should be financed by the government, despite its dire financial situation.<sup>95</sup> The UN mission mandate would not cover any of these activities, and many legal restrictions impede the international community from providing funds to support FARC fighters before they lay down their weapons. It would send a powerful message to the guerrillas that the state is committed to implementing the agreements and cares for FARC combatants' well-being.

Finally, FARC should define as much as possible who will have a direct role in implementing the peace accords. Different agreements create various spaces for FARC to work in. Mid-level commanders could take on many roles. As many have been involved in the drug trade, they could be invaluable in the crop substitution programs. Their standing would be reinforced if they were among the groups of ten fighters allowed to leave the TVZNs to do political work.

### C. *The Community Factor*

The government and FARC debated publicly the location of the cantonment sites relative to the civilian population. Nonetheless, it was always fairly clear these would be in areas with civilians living nearby, most likely in sparsely populated villages where FARC had long had a presence. As TVZNs will cover complete villages, there will have to be relatively harmonious relations. Communities in such areas nevertheless are divided by the prospect of harbouring TVZNs. Some leaders and members

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<sup>92</sup> Crisis Group interview, DDR expert, Bogotá, 4 May 2016. This also occurred in Guatemala, where guerrillas were taught to provide literacy training, then helped others to read and write. Guatemalan camps were open for only two months. FARC said this is part of its reincorporation ideas. Commanders could receive any necessary training in the two months while the census is being carried out. Crisis Group interview, FARC negotiating team member, Cuba, 9 June 2016.

<sup>93</sup> Enrique Flórez, "Dimensión Psicosocial de la Reinserción", in *Guerrilla, Reinserción*, op. cit., p. 142. Kaplan and Nussio, "Explaining Recidivism", op. cit., p. 24.

<sup>94</sup> Crisis Group interview, FARC negotiating team member, Cuba, 9 June 2016.

<sup>95</sup> Due to the decrease in oil prices on the international market, Colombia has found its budget significantly reduced, meaning it will be short of funds as peace implementation begins. The expected budget deficit for 2016 is 3.9 per cent of GDP.

said they prefer the sites not to be near their homes; others said this would be no problem. Some do not reject outright having a camp nearby, as long as they have a voice in the matter; others say the camps could be acceptable if the issue and benefits were explained to them.<sup>96</sup> These different perceptions highlight the wide variety of experiences FARC presence generates.

Some community members want FARC to stay and the military to stay out. A leader asked: "What is it going to be like with the military here? They have only sent us militarisation and repression [before]". Concerns include fears that crime will increase, new armed groups will arrive or authorities will take advantage of the departing guerrillas to mistreat communities, exploit natural resources or steal money from development projects.<sup>97</sup>

Once cantonment zones are established, these fears and uncertainties are likely to be complicated by resentments generated by a perception that FARC members receive benefits while communities struggle to subsist. This could be assuaged by assuring an adequate balance between support for local communities and guerrilla combatants in TVZNs. At the same time, the communities are wary of the possible stigma of living close to cantonments. Those consulted for this report said they already face ostracism for being in areas where FARC has been strong and could become easy victims of the emergent criminal-political violence directed against social leaders and human rights defenders.<sup>98</sup> To prevent this, it is important the government publicly say these communities are not "guerrilla towns".

Direct dialogue with communities, especially marginalised Afro-Colombian and indigenous groups, in and around the TVZNs is crucial for addressing these risks. Many say they have had minimal contact with officials and received no welfare or support.<sup>99</sup> Dialogue has begun with explanations by the tripartite mechanism of what the TVZNs are and how they will function. A next step would be for the post-conflict ministry (MPC) to lead early reconciliation processes between the state, FARC and communities. Part of this reconciliation will hinge upon short-term projects to assure TVZNs do no harm to locals. Communities that receive tangible benefits will likely be much more amenable to local peacebuilding efforts. The MPC, like other state institutions, is severely underfunded, meaning the international community must continue to fund, and in some cases implement, reconciliation processes and economic projects near TVZNs.<sup>100</sup>

Fighters could spend part of their time contributing to projects agreed with communities. The TVZNs will only function for six months, so these will have to be relatively simple to generate a quick impact. They could be financed by a fund destined for the TVZNs, featuring an oversight mechanism with community involvement to help

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<sup>96</sup> Crisis Group interviews, government official, Bogotá, 16 June 2016; community leaders, Putumayo, 19 March 2016; Guaviare, 16-17 May 2016; Cauca, 31 May, 1 June 2016.

<sup>97</sup> Crisis Group interviews, community leaders, Putumayo, 20 March 2016; Guaviare, 14 May 2016; Cauca, 31 May, 1 June 2016.

<sup>98</sup> Crisis Group Skype interview, DDR expert, 13 May 2016; interviews, community members, Putumayo, 19 March 2016; "Un estigma que no se va", *Verdad Abierta*, 25 January 2016.

<sup>99</sup> Crisis Group interviews, community members and leaders, Putumayo, 19-20 March 2016; Guaviare, 14-17 May 2016; Cauca, 31 May, 1 June 2016; government official, Bogotá, 16 June 2016; FARC negotiating team member, Cuba, 9 June 2016.

<sup>100</sup> Crisis Group interviews, community leaders, Guaviare, 15-16 May 2016; government official, Bogotá, 25 May, 16 June 2016. The U.S. and European Union have legal restrictions on funding activities in which FARC is directly involved or benefits since they list it as a terror organisation.

build trust with the state. Residents of FARC-controlled areas said it would benefit reconciliation and community well-being if both fighters and locals did such projects.<sup>101</sup>

Carrying out and completing projects proposed by communities would also create a shift in local perceptions. Used to unfulfilled promises and local leaders' predation and corruption, communities are sceptical of the state. Early development projects would also lay the ground for later planned activities, for example those connected to the MPC's Rapid Response Strategy.<sup>102</sup>

TVZNs need to stimulate local economies. During the EPL demobilisation, for example, the Juan José camp in Córdoba had strong, direct local ties, so many daily amenities were bought from the community. Such a basic beneficial relationship would be fairly easy to forge, especially with at least fifteen UN monitors nearby.<sup>103</sup> Such hamlets as these lack consistent access to many products; a guaranteed market would lead locals to make them available. The TVZNs' logistical protocols refer to opening hiring processes for those who can supply necessities, preferring those who work where the TVZNs will be. They also, though, refer to legal entities defined by formal business models. In these rural areas, many shop owners have never legally created their business. Flexibility will be needed to ensure they see an injection of capital. NGOs, the UN mission and state employees who arrive in the areas could buy personal needs in local stores. "Buying local" and community-designed quick-impact projects may help gain time while larger development activities are designed.

Finally, local social organisations should be strengthened in conflict-affected areas in general, but this is most important where FARC is politically active. Democratisation means other organisations and collectives should also be able to promote their agendas independently. Since the fear armed groups instil does not immediately disappear with the gun, hierarchical power dynamics will likely be retained in many places in the early post-conflict stage. Shifting them does not mean undermining possible FARC political success, but would enable voices silenced by conflict to increase influence on decisions that directly affect them.<sup>104</sup>

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<sup>101</sup> Small public works projects, the basis for the community service aspect of the ACR's reintegration route, are meant to function as a reconciliation activity between communities and ex-fighters. Crisis Group interviews, community leaders, Guaviare, 16 May 2016.

<sup>102</sup> Crisis Group interviews, community members, Guaviare, 15 May 2016. The Rapid Response Strategy involves 26 projects intended to create stability and begin to build state legitimacy on a local level during the first eighteen months to two years after the peace agreement's signing.

<sup>103</sup> Crisis Group interviews, community member, Putumayo, 19 March 2016; ex-EPL fighter, Bogotá, 2 March 2016; conflict analyst, Bogotá, 11 May 2016.

<sup>104</sup> Crisis Group interviews, community leaders, Guaviare, 16 May 2016, Cauca, 31 May 2016.

## V. The UN Mission on the Ground

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The UN mission established in Security Council Resolution 2261 (2016) is part of a “tripartite mechanism”, with the government and FARC, which will jointly monitor and verify the ceasefire, cessation of hostilities and handover of weapons. It will operate at various levels of seniority, with a national board for resolving disputes that cannot be solved locally, eight regional offices and a presence at each of the 28 cantonments. The UN will also receive and control access to all FARC weapons and remove them from the TVZNs at the end of the process.

The parties needed the mission to guarantee mutual confidence in their fulfilment of the 23 June agreements. For example, FARC had often said it would hand its weapons over only to a trustworthy third party, not to the state or military. While the UN mission’s verification and monitoring tasks are important, its mandate regarding the 23 June agreements is fairly restricted. Nonetheless, in the final peace agreement, a second UN political mission was requested for the period after the ceasefire, when it will verify FARC reincorporation, its political benefits and security guarantees for its fighters, its families and local communities.<sup>105</sup> This raises challenges in managing expectations, coordinating information and resolving disputes.

### A. *Managing Expectations*

The mission’s transition mandate is fairly restricted compared to those in other parts of the world. Within the tripartite mechanism, it will have a direct role in destroying and removing weapons; confirming and investigating cessation of hostilities violations; assuring that FARC members on lists for assembly in the TVZNs end up there; and, possibly, accompanying FARC movements from jungle and mountain hideouts to the TVZNs. Some important issues, such as violence by other armed actors in areas surrounding the TVZNs, are not in the mandate.

A large UN ground presence, along with the increased presence of other national and international bodies, will create local expectations that must be managed. The mission will have offices near the TVZNs where locals can give information on possible violations. It will be able to receive and channel information on other issues to pertinent, mostly state bodies.<sup>106</sup> Local communities, some of which expect development projects and improvements in their lives from the peace process, will likely look to the mission to address their concerns.<sup>107</sup> The mission will have to refer them to other mainly government actors. If these referrals lead to frustration with local

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<sup>105</sup> Crisis Group interview, FARC negotiating team member, Cuba, 9 June 2016. The second mission will only come into effect after the ceasefire and handover of weapons have finished. “Acuerdo Final”, op. cit., pp. 186-187. This report focuses on the mission’s challenges during the war-peace transition, not its later roles. Also included in the agreement were roles for civil society and international community actors on a number of issues. “Acuerdo Final”, op. cit., pp. 188-190.

<sup>106</sup> Crisis Group interview, UN mission member, Bogotá, 26 May 2016. The mission will have about 400 military and 120 civilian monitors. Originally they were all to be Latin American, but Europeans were included when it became difficult to find enough regional monitors. Members will be based in Bogotá, in eight regional offices and at the TVZNs and smaller camps.

<sup>107</sup> In some places, interviewees said this expectation already existed; in others, people understood the mission itself would not bring aid. Crisis Group telephone interviews, local authorities, Dabeiba, 27 July 2016; priests, Cartagena del Chairá, San José del Guaviare, 27-28 July 2016 and religious leader, Tibú, 28 July 2016.

communities, it will strain relationships. The tripartite mechanism should allow a representative from the local authorities to be permanently present in its local offices.

Technical visits by the government, FARC and mission in early August to all possible cantonment sites were crucial.<sup>108</sup> Yet these should be just the beginning of sustained dialogue. Instruction on what the mission can and cannot do and to whom locals can turn for different needs will continue to be essential. If communities feel the mission does not serve its purpose, or worse, does not meet their expectations, its ability to obtain reliable information could be affected. As national and international organisations arrive in these regions, it is important the mission maintain its own dialogue with local communities.

### B. *Information Sharing and Gaps*

A difficult security environment will challenge the mission's ability to verify possible violations and to deal with threats to implementation of the 23 June agreements. Accurate, up-to-date information will be essential.<sup>109</sup> While the mission will be able to gather information independently from the tripartite mechanism as well as from people who come to its offices, it will confront several difficulties. Near TVZNs such as in Riosucio (Chocó), Remedios (Antioquia) and Tibú (Norte de Santander), for example, where multiple armed groups are present, it likely will receive contrasting information on possible violations.<sup>110</sup> It may also be difficult to obtain concrete information if isolated, rural communities with little infrastructure cannot report or are coerced by armed groups not to do so. Traveling to them will allow collection of more reliable information, without entirely removing the effect of armed group pressure.

Urban militia members could also pose dilemmas due to their clandestine existence and prominence in extortion and other abuses against civilians. Not all may go to the TVZNs, either because FARC commanders may not know their identity or because they are purely political activists.<sup>111</sup> If some continue to extort, for example, the mission will have to respond to the complaints, but it can only formally intervene if it finds that those involved are on lists handed in by FARC.<sup>112</sup> Its local and national standing may be weakened if it appears incapable of dealing with what will be regarded as FARC violations.

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<sup>108</sup> "Comunicado Conjunto #91", government and FARC-EP, 14 August 2016.

<sup>109</sup> This is principally so for violations outside the TVZNs, where the mission will not be physically present. Violations between FARC and the military will be easier to verify as the mission will be physically stationed between them, so able to verify and monitor directly.

<sup>110</sup> Even the ELN has noted that its presence in TVZN municipalities creates challenges for ceasefire verification. Crisis Group private communication, Free Country National Radio (RANPAL) ELN authorised spokesperson, 11 July 2016.

<sup>111</sup> Political militia members include the Bolivarian Movement and Clandestine Colombian Communist Party. Crisis Group interview, transitional justice expert, Bogotá, 25 July 2016. The state may also not know militia numbers. Eduardo Álvarez Vanegas, "¿Y las milicias de las FARC?", *Razón Pública*, 4 July 2016.

<sup>112</sup> Crisis Group interviews, local community member, Cauca, 1 June 2016; transitional justice expert, Bogotá, 25 July 2016. During the paramilitary demobilisation, 2003-2006, local communities commonly called new armed groups paramilitaries because their members were earlier in the AUC. See, for example, "Los nuevos paras: ¿Son nuevos?, ¿Son paras?", *Semana*, 13 February 2007. There would be no reason for locals to think militia members are no longer FARC simply because of the ceasefire.

Possible cessation of hostilities violations will also test the limits of its mandate. It will partly depend on others, such as the Office of the UN High Commissioner for Human Rights, the Mission to Support the Peace Process from the Organization of American States (MAPP-OEA) and the Human Rights Ombudsman's Office, for information on patterns and provenance of armed violence that could affect the 23 June agreements. Shifts in the presence of other illegal armed groups around cantonments, for instance, could seriously affect monitoring and verification. Where only FARC has been, such as Mesetas, in Meta province, it will likely be easier to investigate than where multiple armed actors are active, such as Tibú, Norte de Santander. Understanding the context in which possible violations occur will help the mission assess responsibility.<sup>113</sup>

Information should not flow in just one direction. Some will need to be shared with the tripartite mechanism; what regards issues outside the mandate should be shared with other relevant actors as well, such as the MPC and local authorities.<sup>114</sup> Regular information-sharing meetings with other monitoring and implementing entities would help the mission respond effectively to possible violations, provided the latter do not pursue narrow institutional interests.

### C. *Dispute Resolution*

On 8 July, members of FARC's 55th front skirmished with soldiers in La Uribe, Meta. Humberto de la Calle, the chief government peace negotiator, said his FARC counterpart, Iván Márquez, admitted FARC gave incorrect coordinates for a pick-up of members to go to the Havana talks. Márquez replied that the army attacked intentionally. It was left to FARC leader Timochenko to argue that though the army tried to "annihilate" the FARC group, the event was the result of "human error", and the peace process would not end because of it.<sup>115</sup> While the incident remains murky, the first responses by the sides show the need for a third party that can help resolve conflicts arising from possible ceasefire violations.

Resolving such disputes quickly requires mutual trust in the arbiter. In a worst case, its lack would render the UN mission unable to fulfil its mandate. Society also must trust the mission for it to be effective.<sup>116</sup> While both parties may consider the mission important, this is not the same as trusting it. A few steps could help build such trust. The tripartite mechanism should take advantage of the standing, experience and insider knowledge the Norwegian and Cuban guarantors have gained and use them during dispute resolutions. This should focus on informal consultations in which opinions are presented and solutions aired, with the mission retaining final word. The guarantors should also publicly support mission decisions, helping thereby to build parties' confidence in the UN.

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<sup>113</sup> This could occur if the ELN attacks in areas where it has not had a strong recent presence. For example, a PCD spokesperson said he doubted an attack in César was actually the group's responsibility because it had not recently been present there. Crisis Group interview, spokesperson, Bogotá, 15 July 2016.

<sup>114</sup> Crisis Group interview, UN mission member, Bogotá, 26 May 2016.

<sup>115</sup> "¿Qué pasó en la Uribe entre el Ejército y las Farc?", *El Herald*, 12 July 2016.

<sup>116</sup> Crisis Group interview, UN mission member, Bogotá, 26 May 2016. In a recent poll, 43 per cent said the UN mission does not give them confidence in the laying down of weapons and ceasefire. "Repunta la paz", op. cit.

The international community, especially the U.S. and European Union, should also continue to publicly voice support and confidence in the mission, especially during the toughest transition moments. Any disputes or charges of FARC violations will create pressure for the UN to condemn the group. Not doing so could provoke an opposition outcry that it favours FARC, undercutting the mission.<sup>117</sup> It is important to lend political capital to the mission when necessary so the parties and the Colombian public maintain confidence in it.

Day-to-day dispute resolution to assure adequate TVZN and camp functioning will help the government and FARC keep local-level trust in the mission. Issues will more often be logistical, reflecting needs in the cantonments, whether of FARC or the community. While some minor ones might technically be outside the mission's mandate, addressing them effectively would create a collective routine within the tripartite mechanism beneficial to coordination and stability.

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<sup>117</sup> Uribe has questioned 30 Cuban monitors because Cuba supported FARC in its early years. "Según Uribe, habrá soldados cubanos en zonas de concentración de Farc", *Efe*, 26 July 2016.



## **VI. Conclusion**

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Jubilation greeted the peace accord in war-weary circles, yet the path to the end of conflict remains strewn with obstacles. Trust in FARC is low and grudging, affecting the plebiscite's prospects. Opposition to the agreement will continue to focus on contentious, crowd-pleasing arguments: FARC war criminals will have impunity and political privileges and keep profits from drug production and trafficking. Peace supporters must correct the inaccuracies and explain the benefits in simple terms, while delinking the agreement from the reputation of an increasingly unpopular government. The negotiation parties and civil society will have to convince Colombians that peace is best both for conflict-affected rural areas and urban centres that have not been recently touched by war.

Local communities that suffered directly will rejoice in peace but fear its consequences, concerned especially for the arrival of both FARC cantonments and a previously negligent, at times brutal state. There are fears new armed groups or a halfheartedly disarmed FARC will recreate the same violent power structures and operate the same illicit economies; or, worse, that they will compete violently for the assets. Expectations of economic development are the mainstay of local interest in the peace process, making early progress a way to signal a new sort of state and develop confidence in a long peacebuilding process.

Many challenges will last years as Colombia tries to honour commitments to transformative rural reform, coca substitution, complex transitional justice and political reform. Money is short, ambitions large. Yet, the immediate period is crucial. Successes in the plebiscite, DDR and cessation of hostilities would set the course, with the UN mission helping to calm nerves. While demands are high and patience thin, the government and FARC must prove that the uncertainty of peace is more acceptable than the violence Colombians have long suffered.

**Bogotá/Brussels, 7 September 2016**

Appendix A: Map of Colombia



Appendix B: Map of Location of Cantonment and Camps  
 for FARC Handover of Arms

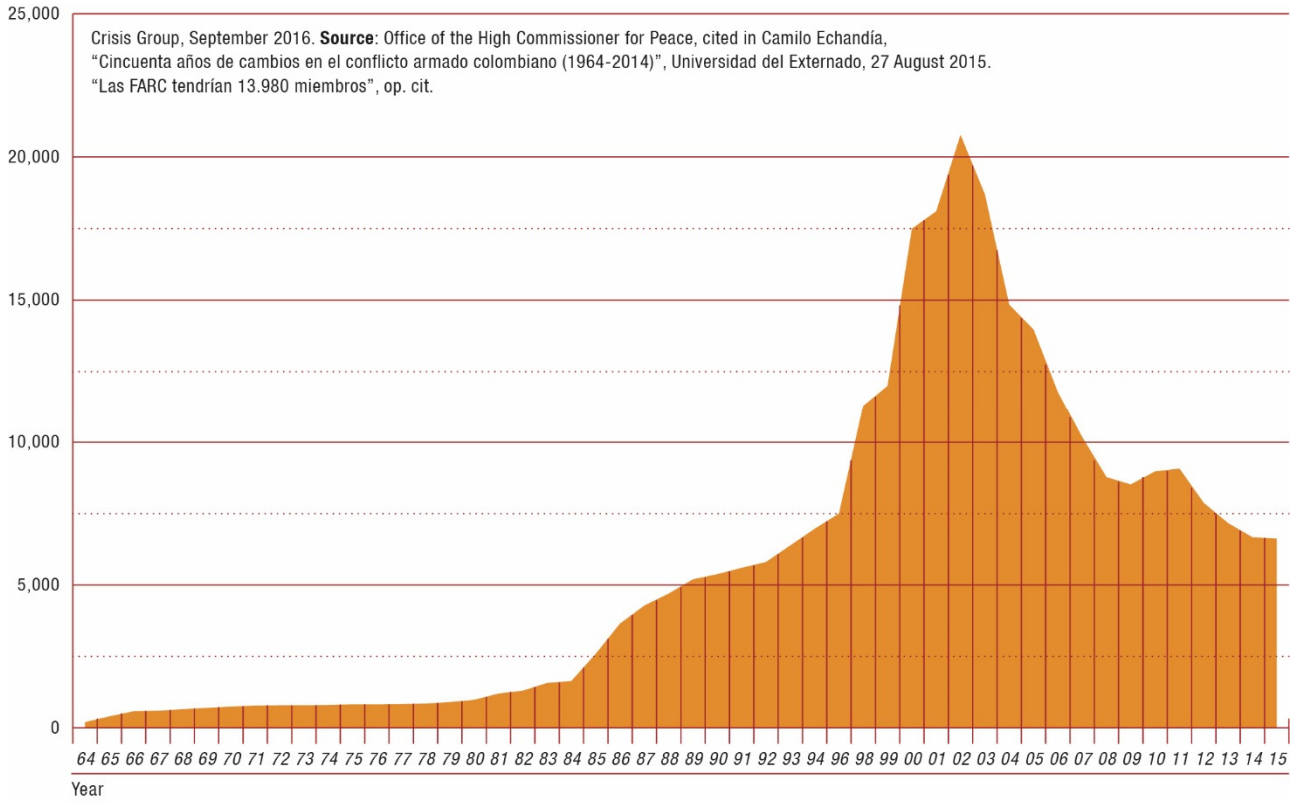


Source: UN Mission to Colombia.  
 International Crisis Group/KO/2016

Appendix C: Map of FARC Presence in Colombia in 2015



Appendix D: Number of FARC Members by Year, 1964-2015



## Appendix E: Glossary

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- ELN** National Liberation Army. Colombia's second largest guerrilla group, currently in a stalemate regarding the start of formal negotiations with the government. With roughly 1,500 military members, it operates mainly along the border with Venezuela, in the Pacific coast departments and in north-central Colombia.
- EPL** Popular Liberation Army. Guerrilla group formed in 1968 that signed a peace agreement with the government in 1991, leading most of the group to demobilise. A dissident unit still operates in the Catatumbo region, Norte de Santander department.
- FARC** Revolutionary Armed Forces of Colombia.
- MPC** The post-conflict ministry, led by Rafael Pardo, is charged with carrying out, leading and coordinating 26 general policies with the goals of stabilising territory and beginning the process of building a legitimate state presence in conflict-affected areas after the signing of the final peace agreement.
- PCD** Democratic Centre Party. Led by former President Álvaro Uribe, it is the principle opposition party to the peace agreements and to the Santos' government in general. For a new party, it has massive support, seen in the 2014 president elections, when its candidate, Óscar Iván Zuluaga, won the first round and came second in the final round.
- TVZN** Transitional Village Zones for Normalisation are the cantonment sites where the FARC will go to lay down its weapons, carry out its side of the ceasefire and begin the reincorporation process. There will be 22 of these plus six camp sites that will fulfil the same function but be smaller.