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Colombia: Security as the Road to Peace?

The Role of Europe and the International Community in the Colombian Conflict

Günther Maihold

The controversial Colombian program of “democratic security” appears to be working. And because Colombia’s population is also giving the government of President Álvaro Uribe Vélez good marks halfway through its term, the president’s efforts to win re-election are gaining new momentum. The number of kidnappings and terrorist attacks in the country fell significantly last year, and the first steps toward solving the decades-long conflict that has rippled throughout the Andes region have been made. Now it is up to the international community. New opportunities are now available for giving the peace process a push by providing it with the kind of support it needs. Europe, with its policy of engagement on behalf of the peace process, has an important role to play in bringing together national and international efforts to resolve Colombia’s conflict. However, central questions remain to be clarified with the Colombian government.

The concentration of wealth and power in Colombia can be seen as the basis of the conflict that has shaped the country over the past 40 years, even if the consequences of the violence manifest themselves outwardly in different ways. Efforts to settle the conflict, which is one of the oldest on the American continent, have oscillated for the longest time between “military pressure” and “negotiations.” In the meantime, it can now be seen that a successful formula for progress on the road to peace lies in combining both elements. The government of President Álvaro Uribe has tried to produce such a combination with its program of “democratic security.”

Two years into the president’s term, the statistics look very positive at first glance.

Kidnappings fell last year by 49 percent, terrorist attacks against infrastructure dropped 22.7 percent, coca cultivation has shrunk by 16 percent, and the number of murders is down from 28,837 to 23,013. These successes were made possible by the hiring of an additional 56,000 uniformed personnel between July 2002 and May 2004. Some 80 percent of these new recruits were deployed with the military, the remaining 20 percent with the police. The work of the security forces as well as that of the president himself has been met with universal approval among the population. So it is not surprising that a new push is underway to reform the constitution so as to make President Uribe’s reelection possible.

Military pressure and the presence of the state

In light of the aforementioned numbers, it seems that at least the sting has been taken out of the steadily mounting violence recorded in recent years. The possibility that demonstrative actions on the part of guerillas could detract from this picture cannot be excluded, however. The containment of violence in Colombia is an important basic condition for continuing to deal with the country's conflict. With its Patriot Plan, the government is also trying get the southern part of the country and the lands along the border to Ecuador, which were long controlled by the guerillas, back under control. However, the strategy of increased military pressure on irregular forces is, as a side effect, increasing the number of internal refugees. The government is trying to counteract this with an employment program promoting jobs in environmental protection and the cultivation of agricultural goods meant to substitute coca. By boosting border patrols and regional security programs, the government is also trying to prevent the drug business from moving to neighboring countries.

Whether the Colombian state will really be successful in maintaining a presence throughout all of its territory is still uncertain. Its proverbial "weakness" can be seen in the way the Colombian government in February 2004 celebrated as one of its successes its ability to guarantee the presence of state security forces in all of the country's communities for the first time in history. That their presence in urbanized centers barely means anything similar to controlling state territory went unmentioned.

More security than peace?

Breaking the momentum of violence in Colombia is especially important given the experiences of recent years. Only when this dynamic is stopped will it be possible for society's interests to articulate themselves

publicly. Only then will there be any maneuvering room for bringing peace to this conflict. Greater security must not be confused with pacification, however. Many of the stumbling blocks along the road to peace are still visible: Will it be possible to convert into options for political change Colombia's difficult multilayered conflict involving guerilla groups (the Revolutionary Armed Forces of Colombia [FARC] and the National Liberation Army [ELN]), drug runners, and paramilitary groups (the United Self-Defense Forces of Colombia [AUC]), all of whom have in many ways lost their motives where content is concerned? How can the centrifugal forces within the state apparatus and the military be kept under control when both are increasingly oriented toward advisers from the United States? How can police and military tasks in the security organs be separated? How can the differing centers of power in the state, society, and the (illegal) economy be integrated in a dialogue that at least tries to point the way to peace?

Ceasefire, demobilization, and reintegration will only be successful if they are supported by society as a whole. Reforming Colombia's decrepit and politically ossified society is an important prerequisite for making peace possible at all. It is precisely here, however, that the Uribe government's achievements fall short: There hardly exist any efforts to open up the state to new forms of organizing itself by decentralizing, distributing wealth more justly, and allowing a greater degree of social involvement. Meanwhile, efforts to prompt a more comprehensive discussion of reform quickly fizzle out. The international community can contribute to guaranteeing important basic conditions such as confidence building measures and an expanded political dialog between the Colombian state, the various conflicting parties, and the country's social forces. Successfully containing the violence in Colombia would open up new possibilities and avenues.

The role of the United States

The recent changes in the United States' Colombia policy can be described as an expansion of the war on drugs to include the war on terror. Some 75 percent of the cocaine produced in the world and 90 percent of the cocaine consumed in the United States comes from Colombia. Against this backdrop, the United States for the time being has concentrated its engagement in the country on fighting both the cultivation of coca and the trade in cocaine.

Not least for reasons of security policy did Washington decide in 1999 to support President Andres Pastrana's Plan Colombia and provide it with U.S.\$1.3 billion. This plan established the four basic components of an integrated strategy for opening up a peaceful future for the country: negotiations to overcome violent conflict, drug control, a rejuvenation of the economy and society, and a strengthening of institutions and social development.

The United States has confined itself essentially to the plan's military dimensions, which are frequently subject to criticism – especially in Europe. The plan provides for using aircraft to spray coca fields with weed killers, which, due to harmful effects on human beings and the environment, remains a main point of contention for European governments and non-governmental organizations. Efforts on the part of drug lords to relocate their coca fields, business operations, and cocaine processing laboratories have served to involve Colombia's neighbors in the Colombian conflict and prompted the United States to spend U.S.\$397 million to support surveillance in the region, mainly in Peru, Bolivia, and Ecuador but also in Brazil, Panama, and Venezuela. This ultimately led to the emergence of the Andes Region Initiative (ARI). Colombia receives 70 percent of the funds from this program, which includes, alongside the components aimed at narcotics trafficking, a program for economic and social development with almost the same amount of funding.

After the terrorist attacks on the Pentagon and the World Trade Center on September 11, 2001, the bilateral agenda expanded to include the struggle against terrorism: The United States placed the guerilla groups FARC and ELN as well as the AUC on a global list of terrorist organizations to be fought. The stabilization of the region and the struggle against terror have now eclipsed the drug issue as the focal point of U.S. policy. This is seen in how Washington treats Bogotá financially: Colombia has now advanced to become the third largest recipient of U.S. foreign aid.

This position, supported so far by a broad majority in the U.S. Senate, appears to be in flux: The Democratic Party's nominee for president, John Kerry, together with other senators has sent a letter to the Colombian president expressing concern for human rights in Colombia. In particular, Kerry singled out ties between the Colombian military and the paramilitary forces. New provisions contained in the 2003 anti-terror statute (in the form of constitutional reform) and alternatives to prosecution for demobilized irregular soldiers have given rise to criticism not only from human rights groups in the United States. In the event that Kerry wins the U.S. presidency, a reevaluation of the present situation in Colombia that goes beyond confirming the recommendations put forward by the United Nations' Human Rights Commission would rob Uribe of his most important source of international support. This would amount to a significant shift in U.S. Colombia policy.

Colombia's neighbors: From spectators to players

As Colombia has largely porous common borders with three of the four other Andean states, the consequences of its internal conflict spill over into neighboring countries. This goes especially for the border regions that are used by the conflicting parties as well as by the internal (forced) migrants as a retreat, rest area,

and sanctuary. Furthermore, the entire region is integrated in the drug trade. Common action now appears to be indispensable not only because of international pressure. However, traditional border disputes, (hidden) sympathies for the guerillas, fears of interfering in the internal affairs of another country, and national self-interest have hampered common action among Colombia's neighbors.

Only in the last months has a new dynamic developed, which was reflected in Ecuador's increased cooperation with Colombia in patrolling the border and the arrest of a leading guerilla member. Above all, Brazil, spurred by its interest in patrolling its own borders, has taken on an increasingly active role that could have a stabilizing effect on the whole region.

Venezuela, under Hugo Chávez, remains as before the most difficult partner. The Venezuelan president's ideology of integration derived from the 19th-century independence fighter Simón Bolívar puts considerable strain on the region in the form of significantly limited border patrols and direct influence on the guerillas' political position. Due to the extremely polarized nature of Venezuelan politics, domestic and foreign policy overlap to such an extent that neighboring states are usually unable to avoid unleashing a political storm in Caracas whenever they try to articulate their interests.

Relations with Ecuador and Peru are much easier to shape, as the national governments there are weak at home and have a great deal of interest in seeing the situation in Colombia calmed.

If the crisis in the Andes region, which feeds on a numerous internal factors, is not to be aggravated by the Colombian conflict, it is important to create and seize opportunities for taking the first steps toward a peace process by combining regional efforts with initiatives on the part of the international community.

Europe and Colombia: A difficult relationship

It is precisely in discussions of Colombian domestic policy where Bogotá's relations with Brussels have borne little fruit. This stems from the "parallel diplomacy" of the Colombian guerilla groups, which have been (relatively) well received by the European public, the work of European human rights groups that distribute distorted information about Colombia (not only in the Colombian government's eyes), and a European policy that is seen as long on words and short on aid.

While noting the demobilization of 4,700 individuals and 1,042 paramilitary fighters, the Colombian government's special representative for the peace process recently expressed Colombia's frustration with Europe, saying, "There is more than enough readiness on the part of the international community to monitor the demobilization process of the guerillas, while support for the analogous process introduced for the paramilitaries is perceived with reserve and disgust." International observers simply did not monitor the Colombian government's current negotiations with the paramilitaries, which began on July 1, 2004, and look as if they could produce success. It was barely possible to win the Organization of American States (OAS) as guarantor for the talks.

These comments show just how differently European NGOs and the Colombian government view the situation on the ground. From the point of view of the European human rights groups, an armed conflict similar to civil war is underway, while President Uribe insists that his government is defending a democracy threatened by terrorists. The European Commission, despite its sustained engagement on behalf of "peace laboratories" in Colombia, has been unable to establish a constructive dialog with the Uribe government. At present, the question of human rights and a proper balance between military and civil approaches to conflict management are at the forefront. In order to set in motion a civil

dialog going beyond the military component, the European Union would like concrete discussions on the following topics:

- ▶ The working out of a humanitarian agreement between the Colombian government and the strongest guerilla group FARC in which an exchange of kidnapped prisoners for FARC members in police custody is concluded. Until now, the conflicting parties have even been unable to agree on the number of people to include. At present, says the government, the guerillas are holding 800 people against their will, while the EU has its eye primarily on 20 political prisoners (among them the former presidential candidate Ingrid Betancourt) as well as 40 military officials and three foreigners.
- ▶ The anti-terror statute passed at the end of last year is seen as controversial, because it opens up to the military possibilities for infringing on the legal rights of the individual. In the opinion of the EU and the UN, the statute needs to be revised.

The European Commission as well as the EU member states is interested in assuming, alongside the UN, a greater role in shaping the outcome of the Colombia conflict. On this point, there exists greater consensus within the EU since Spain, after the recent change of government in Madrid, no longer insists on playing the special role that it had under Prime Minister José María Aznar. With that, the chances that a multi-lateral initiative will succeed have grown. Whether it will actually be successful will depend on whether and in what form it is possible to involve the region in resolving the conflict.

Starting points for a new discussion between Colombia and the international community

Europe is Colombia's largest foreign investor and the country's second largest trading partner. Not least for these reasons

has the European Commission repeatedly declared its willingness to make an essential contribution to resolving the conflict. Its main condition was that the observation of human rights in Colombia was guaranteed. That includes dialog with the guerillas when the conflicting parties have created the corresponding political prerequisites for such an exchange.

This is at present clearly not the case, as the options for continuing the conflict still determine the players' actions. When the FARC gives up territory it controls, which it usually calls a "strategic retreat," this must not be misinterpreted as a rejection of the armed struggle or a signal of greater readiness to negotiate. Far-reaching concessions from this large group cannot be expected anyway. This will only change when the Colombian government's halting contacts with the ELN guerillas begin to make clear progress.

The Uribe government's strategy of fighting its way to peace by stressing public security, especially in the urban centers, remains for the time being the only promising option. It must be complemented by several key points enshrined in a political agenda to be negotiated between Europe and the Colombian government. The central elements would include:

▶ An end to the policy of the Europe-United States dual agenda

The Colombian government's dual-track policy of following a more military oriented cooperation with the United States and a more development oriented cooperation with Europe is untenable over the long term. In continuing Plan Colombia after 2005, which the Colombian government would like to extend for three years, it is important to find an integral approach for addressing the conflict that aims to convince the European and the U.S. public. The London Declaration of July 2003 could be useful here. There, donor countries and the Colombian government formulated a common position for resolving the conflict in the Andes region. Within the framework

of a new donor conference, which would be tied to a new version of Plan Colombia, work would start on finding a new orientation, in which cooperation from the United States and the European Union (up to now managed parallel to one another and seen as at odds with each other) were linked.

► **Restoration of a constructive European-Colombian dialog**

Despite a visit to Europe by President Uribe in the spring of 2004, little progress has been made in opening up Colombia to the “old continent.” The EU has in the meantime placed the guerilla groups on its list of terrorist organizations. This has stopped the guerillas’ “Europe tourism,” something harshly criticized by the Colombian government. However, it was not possible to launch a new phase in EU-Colombia relations. The reasons for this were at least twofold. For one, the Uribe government cannot at present find a direct contact among the member states to support its interests in European institutions and in the European public. Thus, Bogotá in the end was referred to its institutional relations with the European Commission. For another, the open confrontation with European human rights groups remains a crucial hurdle for gaining admission to key political decision makers. The Colombian government itself could send an important signal by taking greater care to diversify its external relations and by making greater use of public diplomacy in approaching the politically active public. Starting points for a new, constructive relationship could be established by showing a readiness to seize on suggestions from Europe and not just certain parts of limited development cooperation programs.

► **Relaxation of relations between the Colombian government and (European) human rights groups**

“The Authoritarian Curse” is the title of a study published by a network of Colombian NGOs to mark the first anniversary of the Uribe government. The central theses – that

the number human rights violations had climbed significantly, and that the president had succumbed to the authoritarian temptation – provoked a furious reaction from Uribe, who called the human rights groups “human rights traffickers.” This exchange marked the climax of a conflict surrounding the work of NGOs and those who support their views in Colombia and abroad. Only in the last few weeks has the government tried to relax relations through talks and promised the human rights groups guarantees for their work in the country. This avenue should be explored further. It could lead to a new stage in Colombian civil society’s development and in the Colombian state’s capacity for approaching and dealing with others – which is indispensable for Colombia.

The same can be said for the international field. European and the U.S. human rights groups have gained the upper hand in shaping opinions among Colombia’s politically active public. The Colombian government is not in a position to work against them with success. The only sensible way out would be – despite all the hardened positions on both sides – to dare a new start that bets on dialog with the interested public. From the European point of view, it is urgently necessary to awaken an understanding for the meaning of the “societal world” as part of striving for peace.

► **Combining regional peace initiatives with the international community’s efforts**

The international community and Europe have at their disposal considerable experience in resolving violent conflicts by establishing political dialog and balancing social interests. This capital must now be thrown onto the scales so as to reinforce approaches made in the search for a peaceful resolution of the Colombian conflict. This includes international support for harmonizing the different negotiations underway between the government and the irregular forces. The Colombian govern-

ment has taken important steps with the paramilitaries; the possibility of dialog with ELN is taking shape with Mexican mediation; but at present, no initiative toward the FARC can be foreseen. This is where the UN, the OAS, and Colombia's friends are required. The necessary inducements for talks, which can be supported by Europe, must come from them.

A prerequisite for meaningful negotiations between the government and the guerillas is for both sides to conclude that complete military victory is impossible for any of the parties. This view is blocked, however, by participation in the lucrative drug trade, which makes the war dividend appear more profitable than prospects for peace. In this respect, a workable policy of pacification cannot get around actively fighting the cultivation of coca and the drug trade. Here especially, the European Union can provide proven services in monitoring any dialog program – not least because of its experience in Central America. It is simultaneously worth keeping in mind that the cultivation of coca substitutes can only be meaningfully promoted if access to markets abroad is guaranteed.

► **Appointment of a truth commission and the start of a national reconciliation policy**

So far, the Colombian government has been unwilling to facilitate the work of a truth commission. Thus, there is still no basis for a predictable demobilization of paramilitaries and guerillas. It is usually impossible in certain individual cases to pass judgment in legal or moral terms without full documentation. A law of alternatives to prosecution (*Ley de Alternatividad Penal*), which foresees the state waiving prosecution of paramilitaries after demobilization, is still being debated in the Colombian parliament and has come under criticism from around the world. The bill's most controversial aspect is the quasi-amnesty to be offered perpetrators after confessing before a court – even if they are guilty of

extreme human rights abuses. A new version of the bill provides for five to ten years imprisonment in cases where a perpetrator who has confessed to human rights abuses commits another criminal offense after demobilization. This provision has also met with resistance as has a provision recognizing the ownership of land illegally appropriated by former combatants. Such land was obtained as a rule by expelling peasants. It should be recalled, however, that all of the demobilizations of guerillas so far have been accompanied by a general amnesty without an obligatory confession before a judge.

In the interest of national reconciliation between the perpetrators and the victims as well as the opposing parties to the violence, the international community should press for the appointment of a truth commission in Colombia. The commission should pursue human rights violations in particular and, with the knowledge gained, exert public pressure. In the event of proven human rights violations, it should be possible to legally impose sanctions on former members of the armed forces, paramilitaries, and guerillas that affect their reintegration into civilian life as well as their access to public offices. European and UN experience gained in this regard in resolving other violent conflicts would make for a valuable contribution and should be drawn on in addressing the Colombian conflict.

► **The opening of a social dialog on reform in Colombia**

Internal and external impulses for a peace process must mesh with one another if a peace plan appropriate to Colombia's multitiered conflict is to mature. Given the entrenched drug economy, the indispensable dual-track policy of mixing military measures and negotiating initiatives confronts all of the players with enormous challenges. The Colombian government will have to take pains to offset its one-sided orientation toward the United States with more balanced

relations to Europe. If the international community's role is not strengthened, specific U.S. interests in the Andes could considerably limit Colombia's abilities for taking action. A purely hemispheric solution of the Colombian conflict hardly appears realistic at present.

Furthermore, it is essential that debate be opened on an agenda for internal reform that embraces land reform, access to resources, opening up the cemented party system, and the participation of civil society. Working out such a comprehensive agenda will be unable to get along without external support and will require far-reaching engagement.

Germany's role can only be defined within the framework of European engagement. A separate German "Colombia policy" cannot be seen and would make no sense. German development cooperation projects could be productively combined with European "peace laboratories" and expanded using methods of civil conflict resolution. The integration of Europe in the Colombia conflict needs to be complemented in particular by an active bilateral political dialog, something that cannot be exhausted only in government consultations but that has to establish its own dynamic by the bringing in groups representing civil society from both sides.

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