

## The Colombian peace process

After several failed attempts, the current peace negotiations with the FARC, initiated in 2012 by Colombian President Juan Manuel Santos are expected to put an end to the conflict, as an agreement was reached in late 2015 on the most difficult issue – victims reparation and justice. The final agreement is planned to be signed on 23 March 2016, however the implementation phase after that could prove difficult, with significant challenges to be overcome.

### The longest-running conflict in Latin America

The [Colombian conflict](#) started in the late 1950s and early 1960s through a combination of factors, such as the political exclusion of left-wing parties by the bipartisan [National Front](#) alliance and their subsequent radicalisation, and the progressive settlement of remote rural areas by poor peasants in search of land. These areas, not totally controlled by the government, were the breeding grounds for guerrilla movements – among which the Revolutionary Armed Forces of Colombia ([FARC](#), designated as a terrorist organisation by the [US](#) and the [EU](#)) has been the most prominent – and opposing right-wing [paramilitary groups](#). The [conflict](#) has lasted more than 50 years, and is estimated to have killed up to [220 000 people](#) and displaced [millions](#).

### Previous attempts at peace negotiation

There have been [three previous](#) negotiation [processes](#) between the Colombian Government and the FARC, all of which failed. The first, in 1984, led by President [Belisario Betancur](#) and accompanied by an amnesty for political crimes, ended in a bilateral truce and the creation of the [Patriotic Union Party](#) (UP). It was interpreted as a victory for the guerrilla, and failed due to paramilitary killings and non-respect of the truce by the FARC. During the second process, in 1991-1992 at Caracas and Tlaxcala, under President [César Gaviria](#) and with a new Constitution, no agreement was reached due to the rigid positions of both parties. The third unsuccessful process was held between 1999 and 2002 at San Vicente del [Caguán](#) under President [Andrés Pastrana](#). Violence was then at its peak, as the FARC had continued their military reinforcement thanks to drug trafficking, and they even [kidnapped](#) a Congressman and other political figures. Nevertheless, successful peace negotiations led to the de-mobilisation of smaller guerrilla groups [between 1990 and 1994](#), and of the paramilitary group *Autodefensas Unidas de Colombia* ([AUC](#)) between 2002 and 2006 during the Presidency of [Álvaro Uribe](#). Negotiations have yet to be held with the National Liberation Army ([ELN](#)), however.

### The current peace process

In 2012, with a much weaker guerrilla, President [Juan Manuel Santos](#) started a new peace process with the FARC, which is currently under way in [Havana \(Cuba\)](#).

*A new context.* Despite the failure of previous negotiations, the social, historical and political context in Colombia seems to favour a [definitive solution](#) this time. Colombian society is tired of violence, and there is a new generation that has grown up with the conflict, and is influenced by new communications technologies and not ideologically polarised. And it is the first negotiation process where there has been no amnesty and in which the end of the conflict has not been a pre-condition, but the last of the negotiation points to be discussed. The economic situation is also much better than before. The new political context was also reflected in the Congress of the Republic, allowing President Santos to create the [National Unity Roundtable](#) alliance, which ensured him a wide majority for the plan, though it has been weakened following his [2014](#) re-election. [Experts](#) consider that the main reasons for the current peace process are political – to open a political space to those who claim not to have it, humanitarian – to end the bloodshed, and practical – it is deemed more efficient to end a conflict through negotiation than to continue the fight.

*A different strategy.* These new negotiations [differ](#) from the previous ones in that a) no previous truce was decreed, as public opinion was against easing pressure on the guerrilla and the Caguán experience advised against it; b) the number of participants at the table was limited to the negotiation committees, with Norway and Cuba as guarantors, and Chile and Venezuela as accompaniers; c) a [Framework for Peace](#) was created as a [legal base](#) for the negotiations; d) the victims of both sides were fully recognised through the [Law on Victims and Land Restitution](#). The process includes [three phases](#): exploratory, end of the conflict (the current phase) and peace-building, and the whole negotiation has been based on the principle that 'nothing is agreed until everything is agreed' – which implies that partial agreements are only valid if the whole process culminates successfully.

*Negotiation agenda and progress achieved.* The [General Agreement](#) for the termination of the conflict and the construction of a stable and lasting peace, signed on 26 August 2012, establishes a five-point [agenda](#): 1) integral [agricultural development](#) policy; 2) [political participation](#); 3) end of the conflict; 4) solution to the problem of [illicit drugs](#); and 5) victims. The negotiations will end with a sixth point: implementation, verification and countersignature. The signing of the Final Agreement will mark the start of the implementation phase. In 2014, [agreements](#) were reached regarding the first, second and fourth [points](#). After declaring a [unilateral truce](#) in July, on 15 November 2015 the FARC finally [agreed](#) on an [Integral System](#) of Truth, Reparations, Justice and Non-repetition, thus ending the negotiations on the fifth – and arguably the most difficult – point regarding victims, and clearing the way for the end of the conflict by [23 March 2016](#). This last agreement establishes a truth commission, aims to search for missing people and stop the suffering of living victims. It also formalises the new justice system agreed in September, with the creation of a special [ad hoc court](#) that will administer 'transitional justice' – excluding extradition and jail sentences, but restricting the freedom of authors of war crimes or crimes against humanity for a limited period of up to eight years as long as they plead guilty, and foreseeing periods of community service for less important crimes. Jail sentences of up to 20 years are only contemplated if the accused do not cooperate by telling the truth. President Santos has now announced that the conditions for a bilateral and definitive [ceasefire](#) have been met. The [United Nations](#) and the Union of South American Nations ([UNASUR](#)) have been helping the parties to design a verification and monitoring mechanism. It is the first time UNASUR has [considered](#) a [peacekeeping force](#) in the region. The only party that fully rejects the agreement is ex-President Uribe's [Democratic Centre](#), who thinks that it poses a [serious risk](#) for democracy.

At the [EU-CELAC Summit](#) of 10-11 June 2015, the EU [welcomed](#) 'the progress made on the peace process in Colombia', supported the peace efforts and expressed its 'readiness to provide assistance ... through the establishment of a Trust Fund in support of the post-conflict phase'. The EU committed itself to [contribute](#) €26 million, with €5 million to support the work of the [Ministry for Post-conflict](#), Security and Human Rights and the implementation of the joint [demining agreement](#). The remaining €21 million will go to a programme to help Colombia overcome the social and economic disadvantage of marginalised and conflict-affected regions. The EU has been engaged in the support of peace in Colombia for more than two decades, as its Humanitarian Office ([ECHO](#)) has provided over €200 million in assistance to the victims since 1994, and contributed to peacebuilding through the Development Cooperation Instrument ([DCI](#)) with €150 million from 2002 to 2013. The EU has also promoted '[Peace Laboratories](#)' – programmes which support civil society in conflict regions – since 2002, and supported efforts to implement the 2011 [law](#) on [victims and land restitution](#). It is currently supporting projects related to the situation of women in the conflict, the forced recruitment of children, the threats and challenges faced by human rights defenders and the needs of indigenous and Afro-Colombian communities, giving a central role to civil society in their implementation. [In 2004 Germany](#) granted €75 million to finance the process. Other EU Member States involved in financing projects are Belgium, [Spain](#), Sweden and Germany. Some EU countries, like [Sweden](#), also participate in the World Bank [Multi-Donor Trust Fund](#) for Peace and Post-Conflict Support to Colombia, established in December 2014.

The HR/VP, Federica Mogherini, recently informed the Council and the European Parliament of the [decision](#) to appoint [Eamon Gilmore](#) – a former Deputy Prime Minister and Foreign Minister of Ireland who was directly involved in the Northern Ireland peace process – as EU Envoy for the Peace Process in Colombia. President Santos visited the [European Parliament](#) in November 2014. At a [high-level seminar](#) organised by the EP EuroLat Delegation in May 2015, the Ambassador of Colombia presented the progress in the peace process and thanked the EU for the support shown, insisting that the victims are at the heart of the process. EuroLat MEPs are currently drafting a resolution to propose the EP offers strong [political support](#) to the Colombian peace process. Mogherini is expected to make a [statement](#) on the subject in the January 2016 plenary.