

# DPI Comparative Study Visit Conflict Resolution in Colombia – the Havana talks and beyond

Hosted by the Colombian Government and Presidential Advisor on the Peace Process

16-23 April 2016, Bogotá and San Juan de Pasto

Summary Report

#### **Foreword**

This report provides a summary of the conversations that took place during DPI's week-long Comparative Study Visit to Colombia, from 16-23 April 2016. The visit comprised daily roundtable meetings with key actors from the Colombian peace process and experts and practitioners in related fields, and these took place in the Colombian capital Bogotá, as well as in San Juan de Pasto, a rural city in one of the country's most conflict-affected regions, Nariño.

The aim of the visit was to gain an in-depth understanding of the conflict and ensuing resolution process in Colombia – to carry out a comprehensive "mapping" of the key actors, groups, and dynamics at play, and to explore in detail with those who have first-hand experience of the conflict and the resolution process to date, key themes and lessons learned. As a "live" case study, the current peace talks in Havana between the Colombian Government and the FARC took much of the visit's focus, however in addition to addressing the current situation, the visit also provided the opportunity to learn from Colombia's long history of conflict and at past efforts towards peace, and to look ahead to the newly declared process with the ELN.

This visit took place in the midst of a very challenging time in Turkey's own political context, in which renewed violence continues and polarisation throughout society remains at a peak. The country's own Kurdish resolution process is facing great difficulties, and the Colombian experience offers hope in terms of identifying workable mechanism to get a process "back on track" when it has stalled, or is facing setbacks. It is hoped that the visit will go some way in broadening bases for dialogue throughout Turkey's society, and draw attention to the aspects of the Colombian model of conflict resolution which have proven successful, as well as the lessons learned.

As always with DPI's activities, this meeting was held under Chatham House Rule. In the interest of transparency, a full transcript and audio recording of the April 2016 Comparative Study Visit is available to the public. Please contact <a href="mailto:info@democraticprogress.org">info@democraticprogress.org</a> for further information.

DPI working papers relating to some of the key topics addressed (including an update on the current context in Colombia regarding peace processes between the government and both the FARC and ELN) can be found at the end of this report. Other research papers on the subject of conflict resolution, and all previous DPI activity reports, can be found on the Institute's website: www.democraticprogress.org.



### Background: convening polarised groups at a time of crisis

Participants in this activity travelled to Colombia during what continues to be one of the most challenging times in Turkey's resolution process. Polarisation and division at every level of society is growing, and fuelled by the increasing violence both in the country's southeast, as well as in urbanised areas. The conflict in Turkey is no longer seen to be confined to the Kurdish populated regions, but instead, is felt by all of Turkey's population. In addition, the conflict is no longer viewed as an "internal" issue involving Turkey alone, but rather has taken on cross border dimensions and external interests, placing it at the centre of the region's geo-politics.

With the current stalling of the Kurdish resolution process, comes a clear need for platforms for dialogue among all stakeholders involved, and for opportunities to look beyond Turkey to draw from international experiences. Having identified this need, DPI invited 11 high-level delegates, representing all of Turkey's main groups in society, however divergent, to come together in a way which would not be possible within the country, to learn from the experiences of Colombia and to spend a week together in a "safe" and neutral setting, away from the conflict environment and the glare of the media.

The roundtables that took place during this six day visit focused on the current dynamics and nature of the Havana peace talks, and allowed participants to explore in technical detail, the structure, format and choreography of the process, and in particular, the mechanisms incorporated to keep the process on track in the face of challenge or possible derailment, and the methods used in the Colombian context, to build confidence and maintain engagement on both sides during difficult times.

The "live" status of the Havana talks allowed participants in the visit to meet with those presently involved in the negotiation process which is underway between the Colombian government and the FARC, and to hear very current accounts from those regularly at the negotiation table. The visit also came at an important time in terms of the announcement of new negotiations between the government and armed group, ELN, and participants met with senior actors who shared on the new sets of challenges faced in the context of this new process. In addition to focusing on current events, actors from previous peace processes were also met with, to gain a full overview of the country's conflict history to date, and to understand the internal experiences and lessons that have allowed for the success of the current process.

This visit builds on previous activities and research, in particular, following on from in-country roundtable meetings on the topic of getting a process "back on track" in the face of difficulty. The narrowed down focus of the visit's agenda and the wide scope of speakers met with allowed for this

topic to be explored in even greater depth and from many different angles and perspectives. The visit's objective was to allow for dialogue to continue and develop on this topic, not only among participants in the visit but across society as a whole.

Through in-depth analysis and study of the key themes arising from Colombia's peace process, and through spending time in Colombia's main conflict affected area, participants gained a comprehensive understanding of the many valuable lessons offered by the Colombian case, and this allowed for reflection and discussion among the delegation throughout the week, both on the Colombian context and their own.



#### **Themes**

Themes addressed during the visit include the nature of the current peace process between the Colombian government and FARC, including detailed analysis of the content, structure and sequencing/choreography of the process; the role of women in the process and the means through which gender perspectives have been incorporated into the process; in-depth conflict analysis and exploration of the historical root causes of the conflict including class issues, rural/urban divide, the role of illegal drug production and criminality and other historical factors; lessons learned from previous conflict resolution efforts such as the need for inclusivity, the necessity of a concrete

agenda and time frame, and the benefits of holding peace talks outside of the country; DDR and SSR; the role of third party actors and important factors to consider in selecting these; questions relating to governance, in particular relations between central and regional governments and how to bring rural regions "on board" to the process; rural reform including land and property reform; constitutional arrangements; the media and its role in preparing the public for peace; the role of civil society in creating public ownership of the process and the topic of transitional justice and memory.

#### **Participants**

The visit was attended by 11 participants from different parts of Turkey, and included Members of Parliament; prominent members and chairs of Turkey's wise persons' commission; high level journalists and television personalities; popular public figures including Turkey's best known film actor; human rights lawyers; leaders of civil society groups and think tanks; renowned academics, and policy makers and chief advisors to the parties to the process including Turkey's Prime Minister and President. Lunch and dinner receptions were kindly hosted by the Turkish Embassy to Colombia. Participants spent time both in Bogotá, at the Presidential Palace and in government offices, and also travelled to San Juan de Pasto, a town in Nariño, one of the most conflict-affected regions of Colombia.

## **Speakers**

Speakers met with during the visit include key actors currently engaged in the peace talks in Havana, including Colombian President Juan Manuel Santos and plenipotentiary negotiator, former minister Frank Pearl. Other key facilitators in the process, from other perspectives were met with, including Senator Iván Cepeda, official spokesman for the Organisation for the Victims of Sate Crimes, and Piedad Córdoba, a former combatant, who went on to work as a human rights defender in the context of gender and minorities and now plays a key role within the process, General Rafael Colón, an armed forces representative working in rural areas of Colombia, Senator Antonio Navarro Wolff, a well known Senator and former Commandant of the demobilised armed group M-19, Xavier Hernández, a former peace advisor and Eybar Insuasty, an educator for peace, both based in Nariño, one of the most conflict affected regions, and offering perspectives of social movements and rural populations, Pablo Pardo Velasco, a representative of the Nariño regional government and a member of the regional peace commission based there, Luisa Cremonese, regional coordinator for

the United Nations Development Programme based in Nariño, Dr Angelika Rettberg, an expert in armed conflict and peacebuilding at Universidad de los Andes, Bogotá, Alberto Lara and Ana María Restrepo, General Director and Projects Director of the Social Development Group, a think tank working on analysis, training and dialogue facilitation among different sectors of Colombian society, Sergio Guarín and Ángela Rivas, coordinator for post conflict work and coordinator for business and peacebuilding at the Fundación Ideas para la Paz, an NGO working to support the peace process, Philipp Lustenberger, Head of the Human Security Programme at the Swiss Embassy, Captain Omar Cortés, a Commander and Navy Officer specialising in naval intelligence and currently working with members of the armed forces to prepare for the transition to the post conflict period, and Paula Gaviria, Director of the Unit for Attention and Reparation for Victims, a governmental unit which coordinates the implementation of public policy for victims.



#### **Lessons learned – the Colombian experience**

Much of the visit focused on <u>mechanisms employed to "get a process back on track"</u> during challenging times and crises faced in Colombia's different experiences of conflict resolution. Participants heard from facilitators of the Havana talks, who shared about the difficulties in setting an agenda for the talks during the "preparatory phase" of the process, and how differences in views on what the priorities of the process should be almost led to a derailment. The importance of compromise was emphasised as well as the need to continue with the process despite deadlock or lack of consensus, and key actors shared that they learned to trust the process, not one another, in order to keep it moving forward. Also discussed in this context was the impact outbreaks of violence

had on the process, both on the part of the armed forces and the guerrillas, in the absence of a formal, bilateral ceasefire. A number of speakers stressed the usefulness found in holding talks outside of the country in this regard, in order to separate the process from events and violence taking place internally, and to keep it on track in spite of active conflict. The divergent views of the parties relating to <u>DDR</u> and the form and timeframe this should follow, were seen to be a factor threatening to bring the process to a halt, and speakers shared about the need for flexibility and expectation management regarding deadlines set for agreement on sensitive issues.



The <u>role of third parties</u> in the Colombian process was explored in detail, with the key actors emphasising that while external actors have been crucial in the success of the process to date, it is still very much a Colombian process, led by Colombians. The roles of external third parties as technical support, facilitators, custodians/guarantors and host were discussed. The contribution of the US, Switzerland, Norway, Venezuela, Chile and Cuba were all examined in detail, as well as that of the United Nations, who will play a key role in relation to the "dropping of arms" (as the FARC have insisted that handing over arms to the Colombian army is not possible as it would signify defeat or surrender) and <u>ceasefire verification and monitoring</u> as part of a trilateral commission alongside government and FARC representatives. Speakers consistently shared that the involvement of third party, neutral actors in Colombia's process has been effective in keeping the parties at the negotiating table so far.

Participants learned about the <u>importance of structure and sequencing</u> in the Colombian process from those who were present and who contributed to its construction, as well as the "guarantors" of the agreements made to date. Speakers reiterated the importance of establishing and following a

timetable for the process as much as possible, with the four distinct phases in the Colombian case comprising a preliminary phase of backchannel talks to establish contact, a preparatory agenda setting phase (the phase currently underway in Havana), a final agreement phase, and an implementation phase, which will include a focus on transitional justice and continued peacebuilding.

The core <u>nature and design of the agreement</u> currently being constructed in Havana was discussed, with legitimacy, political viability, being beneficial for most (if not all) citizens, and being implementable, all being described as essential characteristics of a successful process. <u>Inclusivity</u> was continuously raised as another vital element of the Colombian process, and the presence of many of the country's smaller political parties at the table was described as key to its successful continuation so far. Speakers also shared on the importance of limiting the agenda to certain priority areas, rather than having an open, overly broad agenda, in order to maintain focus and to keep momentum, and to ensure the feasibility of the scheduled timetable as much as possible. The current process was compared to previous efforts towards peace and the reasons for previous failures were addressed, including the lack of structure and concrete agenda.



Speakers shared on the <u>importance of political leadership and the role of personalities</u> within the process, describing the way in which strong leadership and a new political will for change, for example following general elections (in the Colombian case the election of Santos meant a positive change in approach to the process) or a change of leadership within an armed group (as in the case of the FARC) can push a process forward and provide new confidence in the interested parties.

A key topic of the visit was the <u>implementation</u> of any final agreement reached in a peace process. Speakers shared their different perspectives on the possible challenges arising in this future phase of the Colombian process, including the <u>"spoiler factor"</u> and the potential of new armed groups and paramilitary groups to fill the vacuum left following the disarmament and reintegration of FARC members if root causes of the conflict are not addressed. The need for <u>public support</u> for a process was also discussed in this context, and participants learned of the difficulties faced in terms of garnering support among the Colombian public for the process currently underway in Havana. Speakers discussed the importance of positive <u>media</u> coverage, <u>peace education</u> and the use of sensitive <u>language</u> by all parties to the process when communicating publicly, to prepare the Colombian population and to help forge a "social contract" for peace — to "sell the process", in particular within rural areas of the country most affected by conflict.

<u>DDR</u> was covered in detail during a number of the roundtable meetings that took place during the visit, with speakers sharing on the current discussions taking place between the actors in this area, and the possible scenarios regarding the speculated 8-50,000 demobilised combatants following a final agreement in Havana. Choreography regarding demobilisation of FARC members was discussed, as well as the role of the UN in the decommissioning process, and the vital need for trust within this process, both on the part of the parties to the conflict and on the part of the general population.

The theme of reform was addressed in detail, with many speakers describing <u>institutional reform</u> as a key factor contributing to the ripe conditions for peace talks to take place in the Colombian case. <u>Military reforms</u> undertaken by former President Uribe and the ministry of defence were discussed as a key component in this sense, and the military representatives met with discussed the way this was carried out in practice, as well as elaborating on the opportunity for dialogue between the military and FARC representatives created by the peace process so far.



The emphasis of Colombia's process on *rural reform and development* was described as another key element leading to its success thus far. The central importance of the "rural agenda" within the process has meant that the priorities of both of the main parties to the process, the FARC and the Colombian government, intersect on a crucial point. Participants learned of the discussions taking place regarding *decentralisation* and the need for greater regional decision making capacity in Colombia. National and regional government representatives described the need for greater state presence in rural areas where much of the conflict has taken place and the way in which many rural areas of Colombia have historically been de-facto governed territories of armed groups such as the FARC. Greater transfer of authority to regional authorities, through public functions, political organisations and civil society groups was described as a key means by which regional capacity could be increased. The inclusion of *land and property rights* within the peace process was also discussed, as was the need to disperse wealth and to create greater economic balance between urban and rural areas in order to overcome the underlying causes of conflict.



During the visit, participants learned of the <u>"sticking points"</u> of the Colombian process – the agenda items that have not yet been agreed on and that continue to fuel polarisation among society regarding the process. Among these, particular focus was given to questions of <u>transitional justice</u>, <u>prisoners</u>, <u>amnesty and victims' rights</u>, and the proposed special tribunal and truth commission (to provide truth, justice and reparation mechanisms) were elaborated on in detail, including the proposed provisions on amnesty conditions as well as budgetary issues in relation to reparations. Speakers described the central focus on victims (seen to also include state actors) as a defining feature of the current process, and the inclusion of a victims' delegation at the negotiating table in Havana was discussed. The role of the Colombian government's victims unit currently in operation was analysed in detail.

The <u>economic impact of conflict</u> and the positive <u>role of businesses</u> in terms of conflict resolution in Colombia were analysed during the visit, with experts and practitioners in this field describing the potential of businesses to play an important role in terms of social interaction and political, economic and human capital – and discussed the ways in which businesses can help build new narratives and increase local capacity, assist with transparency and anti-corruption, and create new business models not dependent on previous structures in which armed groups were engaged with, for example. The presence of representatives from Colombia's business community at the negotiation table in Havana was also discussed.

The inclusion of a *gendered perspective* within the Colombian peace process was discussed, and speakers shared on the gender sub-commission formed of both government and FARC representatives as a key mechanism to ensure the application of a comprehensive gendered approach to every aspect of the process. Speakers also discussed the role played by delegations of gender experts who have attended the Havana negotiations to make proposals in this area. Key women actors in the process were met with, including a woman former combatant, who shared on her first hand experiences from a gendered perspective.



#### Key lessons learned from the Colombian experience of conflict resolution to date include:

- The importance of inclusivity all groups in society and all stakeholders need to be represented in the process to minimise spoiler and ensure maximal support
- A concrete agenda, focusing on a limited amount of priority topics is more likely to succeed than an open agenda where anything can be discussed
- A well designed timetable helps keep the process on track and maintains
  momentum, in the Colombian case four distinct phases have been outlined: those of
  initial contact (secret backchannel talks without "microphone diplomacy" or media
  presence; preliminary agenda setting; final agreement and implementation. Welldesigned sequencing and choreography are important to the success of a process
- Having a central focus on victims rather than perpetrators of human rights violations
   brought victims of the conflict "on board" and made them supportive of the process
- The inclusion of rural reform and increasing regional capacity for conflict resolution
  has meant that the process is not only focused on urban areas, and has meant it is
  applicable to and engaged with all parts of Colombia
- Holding talks outside of the country, in Cuba, has allowed for the process to
  continue despite ongoing conflict and a lack of a formalised bilateral ceasefire it
  has allowed the process to be kept separate from events on the ground
- Third party involvement and international actors have played a vital role and have been essential in keeping actors at the table, providing technical assistance and support in times of deadlock or difficulty. That said, the process is a Colombian process led by Colombians and all third party involvement has been at the request of the parties
- Institutional reform including military reform has been a necessary step in creating the ripe conditions for a peace process to begin
- Peace education and positive media campaigns are key in garnering public support
- Talks can take place in the context of ongoing conflict conflict does not have to end before a peace process can begin
- It is essential that a gendered perspective be applied throughout and at every level
  of the process, ensured through including gender experts at the negotiating table
- Collaboration between the parties on different areas has allowed for trust to be built, among themselves and also among the public eg. Armed forces and FARC working together to eradicate landmines

## Broadening bases for dialogue and development

The aim of DPI's comparative study visit to Colombia was to facilitate learning among participants in relation to the Colombian experience of conflict resolution, and to create a platform for constructive dialogue among the diverse delegation in a neutral setting away from the conflict environment and the glare of the media. At the end of the visit, DPI held an internal evaluation meeting, in which participants were invited to give their perspectives on the visit. Participants were unanimous in their positive feedback on the activity, which was seen to be both timely and important in terms of broadening bases for dialogue and discussion with regards to conflict resolution. The relevance of the Colombian case to Turkey was emphasised, with many of the key themes arising during the Havana talks being seen as applicable to Turkey's Kurdish resolution process.



As with previous DPI activities, the visit was also seen to be a valuable opportunity for groups and individuals at every level of society in Turkey, to come together and assess the issues currently being faced by the country, at a time when this might not usually be possible.

All participants have shared learnings with their respective communities and constituencies, through compiling detailed reports on the visit - in the case of political party representatives this shall be

shared with their respective parties including leadership, reports will also be shared with the Prime Minister and President by their advisors who took part, and the participating journalists and media representatives have published numerous articles and columns on the visit, many of which have attracted significant interest (with one article attracting 44,000 views on the day of its publication, four times the usual number). Civil society representatives have shared their intention to share with their communities, and academics will share learnings through their educational fora and through academic articles. Well known popular figures taking part in the visit have served to attract significant media attention and the visit has been documented throughout Turkey's media as well as on social media, allowing for the learnings from Colombia to not only be experienced by those taking part in the visit, but among society as a whole.

The visit has built on previous comparative study visits carried out by the Institute, in particular regarding the topic of "getting a process back on track" and maintaining a process during difficult times. The visit also built on DPI's work in the specific area of gender and conflict resolution, and will serve as a strong foundation for continued work in these areas.



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# Annex 1: Participants

| Name  | Position  | Affiliation                              |
|---|---|--|
| Ali Bayramoğlu                              | Columnist, Member of the Wise Persons<br>Committee  | Yeni Şafak Daily Newspaper               |
| Adnan Boynukara                             | Member of Parliament  | Justice and Development Party (AK Party) |
| Esra Elmas                                  | Senior Advisor, DPI, and Coordinator,<br>Istanbul Bilgi University Centre for Conflict<br>Resolution and Research                             | DPI and Istanbul Bilgi University        |
| Yılmaz Ensaroğlu                            | Chief advisor to the Prime Minister, Former Director of SETA Human Rights and Democratisation programme, Member of the Wise Persons Committee | Turkish Prime Minister's Office          |
| Levent Gok                                  | Member of Parliament and Vice President   | Peoples' Republican Party (CHP)          |
| Kezban Hatemi                               | Human Rights Lawyer and Chair, Wise<br>Persons Committee  | Wise Persons Committee                   |
| Kadir İnanır                                | Actor, Member of the Wise Persons<br>Committee  | Wise Persons Committee                   |
| Eleanor Johnson                             | Director of Programmes  | Democratic Progress Institute            |
| Mithat Sancar                               | Member of Parliament  | Peoples' Democratic Party                |
| Baris Yildirim                              | Simultaneous interpreter  |  |
| Kerim Yildiz                                | Chief Executive Officer   | Democratic Progress Institute            |
| Sevtap Yokuş                                | Law Professor   | Kemerburgaz University                   |
| His Excellency<br>Ambassador<br>Engin Yürür | Ambassador of Turkey to Colombia  | Turkish Government                       |

# Annex 2: Speakers

| Name                    | Position  | Affiliation                          |
|-------------------------|---|--------------------------------------|
| Senator Iván            | Senator of Colombia and Spokesman for             |                                      |
| Cepeda                  | the Organisation for the Victims of Sate          |                                      |
|                         | Crimes  |                                      |
| General Rafael          | Director  | Dirección para la Acción Integral    |
| Colón                   | Former Constant and Human Bights                  | contra Minas Antipersonal            |
| Piedad Córdoba          | Former Senator and Human Rights Defender          |                                      |
| Captain Omar<br>Cortés  | Commander and Navy Officer                        | Colombian Armed Forces               |
| Luisa Cremonese         | Regional Coordinator                              | United Nations Development Programme |
| Paula Gaviria           | Director  | Unit for Attention and               |
|                         |   | Reparation for Victims               |
| Sergio Guarín           | Coordinator for Post Conflict Work                | Fundación Ideas para la Paz          |
| Xavier Hernández        | Former Peace Advisor                              |                                      |
| Eybar Insuasty          | Educator for Peace                                |                                      |
| Alberto Lara            | General Director                                  | Social Development Group             |
| Philipp                 | Head of the Human Security Programme              | Embassy of Switzerland in            |
| Lustenberger            | , 0   | Colombia                             |
| Frank Pearl             | Plenipotentiary Negotiator and Former<br>Minister | Colombian Government                 |
| Ana María<br>Restrepo   | Administrative and Projects Director              | Social Development Group             |
| Dr Angelika<br>Rettberg | Directora Maestría en Construcción de Paz         | Universidad de los Andes             |
| Ángela Rivas            | Coordinator for Business and Peacebuilding        | Fundación Ideas para la Paz          |
| His Excellency          | President   | Colombian Government                 |
| President Juan          |   |                                      |
| Manuel Santos           |   |                                      |
| Pablo Pardo             | Representative                                    | Nariño Regional Government           |
| Velasco                 |   |                                      |
| Senator Antonio         | Senator and Former Commandant of the              | Colombian Government                 |
| Navarro Wolff           | demobilised armed group M-19                      |                                      |

Annex 3: DPI Briefing Note: Current Peace Process in Colombia <u>Download PDF Here</u>

Annex 4: DPI Briefing Note: Colombia Peace Talks with the ELN <a href="Download PDF Here">Download PDF Here</a>