



## 2017 Bologna Symposium on Conflict Prevention, Resolution, and Reconciliation

Keynote Address  
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First off, I would like to cordially greet you and wish you success in this important meeting that I could not attend due to urgent matters in Colombia. I would like to offer my apologies since I know this posed an inconvenience on the program coordinators. I apologize, but it was out of my hands.

Before I give you some reflections, I would like to offer some context with regards to the armed conflict in Colombia. Especially for the foreign assistants who may not enough information on the previous encounters.

The conflict formally began with the foundation of the FARC in 1964. Yet, confrontation existed before then. The origin of the FARC is centered around two elements. One, an internal, real element, related to the exploitation and ownership of the land. At this time, the FARC was self-proclaimed as a movement for campesinos (countrymen) auto-defense. It was really the agrarian topic that had been the subject of debate since 1936, problems of productivity, campesino family dignity, of scarcity in the presence of the state... but simultaneously amidst the Cold War and the confrontations of the Cold War, the FARC receives back-up and support from Moscow in terms of way to increment the fight in different territories between the two dominating powers at the time. The first responses in the Colombian state were really weak in the military as well as the social reforms that the FARC proclaimed necessary to put an end to the uprising. For a long time, there was a situation of active presence of the FARC but not determining; they did not pose a threat to the political system. At the end of the Cold War, many similar conflicts in the Sub-Latin American continent ended. Simply because as the key of resources closed the opportunity to continue the confrontations closed.

In the Colombian case we had a phenomenon, which is the rise of narco-trafficking activity and the FARC begins to use resources from this activity to gain enough economic autonomy so that ending the Cold War, the confrontation not only continues, but it becomes more aggressive and the conflict degrades because foci of reaction against FARC actions appear, commonly known as paramilitaries and auto



defense which encourage the conflict and make it have more painful consequences for the Colombian population.

As a matter of fact, during this conflict, we've had 8 million victims, of which 220,000 dead, 80% part of civil society, 7 million displaced, cases of forced disappearances in the concrete case of the FARC. There are other organizations, but I am not referring to those. In the concrete case of the FARC, intervene their combatants, the paramilitaries, in some cases members of the government derail or fail to follow their constitutional duties, and there are thirds, financers, who from the margins, contribute to the prolongment of the conflict.

In those conditions during several stages the Colombian state tried to achieve agreements, through dialogue mechanisms, all of them frustrated until this experience, until today. In 1991, under the government of Cesar Gaviria, I was a government minister. We started a first a first stage of dialogue in Caracas and Tlaxcala, that became quickly frustrated.

Already before, Belisario Bentancourt had accomplished a great opening towards a different conceptualization of the conflict, not only from a repressive look but also trying to understand the causes that fueled and maintained the conflict. In the government of Andres Pastrana there were advancements in terms of a zone where the FARC concentrated and conversations began, that were soon also frustrated. Because of that, what was done this time, we pretended to generate strategic elements that would allow us to learn from previous experiences.

And I think the main elements of strategic character are the following:

We distinguish between the end of the conflict and peace. Peace is a post-notion that implicates profound changes in Colombian society that may take years. And that compromise, or should compromise, not only the government and the ex-combatants, but also the citizens, institutions, and the private sector.

But that notion is different from what took us to Havana. What took us to Havana was the urge to put an end to the conflict. That separation was key. Because in previous experiences when we confused those two notions, the discussion table ended touching on an infinite number of problems of Colombian society that did not have easy solutions and ended up conditioning the military decisions to social transformations of great magnitude. Therefore, that separation was key and was accepted by both sides at a secret stage that lasted about six months and that produced a concrete agenda of six points that allowed, I reiterate one more time, in a practical way to end for the conflict and to open expectations of a firm peace.

The agenda was based in the first place, on the agrarian theme. As I mentioned before, the rural aspect is in the origin and perpetuation of the conflict, and the incidence of narco-trafficking, particularly illicit cultivations which continue to be a central element in some remote areas of Colombia and that is that is linked to the conflict. Because of that, the first point was related to transformations in the countryside that allow for the stabilization of the countryside through mechanism that I will refer to later.

The second point is the one about politics, the political system. Colombia has a long tradition of practicing democracy. Practically uninterrupted since the origin of the Republic. Yet, we must recognize that there are deficiencies. Some do not pertain just to Colombia, with regards to campaign financing, exercising politics, clientelism... recognizing these deficiencies allowed us to take a step towards improving and a cleaner, more transparent, and better warranties for the political exercise of an armed movement whose purpose was to leave the arms and integrate into civil politic, unarmed politics, which is exactly the ultimate goal of a process of this nature.

Then come the difficult decisions in subjects matters of justice which is also an element on the agenda... and lastly, to abbreviate, the topic that we are on today which is the reincorporation of the FARC into civil life, and economic and legal life. And from then on, I reiterate once again, all society, not only government and FARC, seeking to consolidate peace and it may be firm and lasting.

That was, let's say for me, the first strategic decision that was really key to ending the conflict, without failing to recognize because it's the truth, that the co-military relationship came to evolution in favor of the state. In particular, in the previous administration, there was an improvement in the efficacy of the public force, better training, more resources... Therefore, the guerilla, if it was reduced in its military capacity, maintained operations to the end of the conflict, extremely painful and that's what justified us taking the step of finding a solution through dialogue. But without a doubt, in a co-relationship of forces that disfavored the guerilla in an important way.

A second element that was key was the international community, the presence of the international community and the Latin American perspective was determining. In the first place because several countries in the region persistently indicated to the FARC that the way was the submission or arms, that of non-violence.

The truth is that ending the conflict had become also a priority for Latin American regimes, that we suppose, the FARC listened to. We can say, a very difference structure from that of the Cold War and the circumstances immediately following the Cold War. The governments of Venezuela, Bolivia, Cuba permanently conveyed the message, Fidel Castro himself did it on a famous book about peace in Colombia. It was the message to the FARC, in the sense that the use of arms was in fact perpetuating the status quo in Colombia rather than being transforming force, in reality, it ended freezing the political development in Colombia.

In that way, the role of the governments in the region was determining. In the same way that the internal message of the leftist democratic forces in Colombia, which also in a reiterative way sent to the FARC the idea that it was time to suppress the use of arms as a precondition, so that, in democracy, the country could progress in terms of transformative politics.

That's the second element that derives from a third chapter which is direct dialogue among the parts. We did not recur to mediators nor facilitators. What we did was to generate two countries warrantees whose role was to bring trust, bring trust to the table. Warrantee countries that were Norway and Cuba, and two accompanying countries that made presence sporadically with the hopes of solidifying each advancement. And this role, was fulfilled by Venezuela and Chile. Therefore, the international realm was a second key element.

In the third place, we made the decision of taking the conversation out of Colombia. The experience immediately before under the government of Andres Pastrana with discussions in the Colombian territory was really very negative. What we found was an excessive incidence of external phenomena to the discussion table. The course of the political action itself ended up interfering and ruining the possibility of success in that experience. Because of that we thought that Cuba, in the first place brought elements of security for the FARC delegation. In the second place, it handled the table with great professionalism, neutrality and distance. Truly, the warrantee countries literally fulfilled that role. A role like that of a notary that guaranteed what was happening in reality, with the discussions being discussions only among the parts. We can say about a structure of this characteristic and others, they give way to a phase that, was supposed to be relatively brief, in the sense that an agenda had already been accomplished, but this was not the case. Really the discussions were more complex than we expected. They were prolonged longer than we expected. That also generated collateral effects in the public opinion that was getting impatient due to the delay in obtaining results.

In the second place, the circumstance of negotiating from outside of the country, with a grade of isolation, allowed us to produce certain level of confidentiality that we deemed necessary to protect the dialogues. Unlike in previous experiences where the constant presence of the communication outlets simply ended altering the table and generating negative effects. This confidentiality, nevertheless, was not absolute. The FARC took advantage of the situation to spread their discourse, and although in my opinion, this was an element that disrupted the progress of the table still we surpassed it to obtain the results we achieved.

To abbreviate this intervention, I would like to transmit to you what in my opinion was the element, let's call it technical element of negotiation that was fundamental. At the beginning of the conversation, they were two delegations that seemed to belong to different worlds. As if one delegation was in one planet and the other in another planet, because the antagonisms were supremely accentuated. The exercise of

making propositions in a table so antagonistic seemed frustrated. The beginning of the table was difficult. Also an excess of political rhetoric of the FARC, at some point it had to be reminded that there was an agenda. The objective of the table was not to convince the FARC of our political ideals neither was the objective for them to convince us.

This was not an exercise on political convincing, but a practical exercise to finalize the conflict. After that rhetoric phase, when the table begins to on the central elements of the discussion, these antagonisms made difficult a process of offers and counter offers. And there we had a change of techniques, in certain way, a product of circumstances that I think was the determining one. We changed the panorama. Rather than making offers that generally clashed offers on the table, we began to work on diagnostics. And as we progressed in the diagnostics, common elements started to emerge, not equal, but common. The first topic, the agrarian issue. A diagnostic over the concentration of land-holding in Colombia in only a few hands was a common diagnosis. A second one, the use of land, with enormous deficiencies. Enormous extensions of underutilized land with a very low productivity that needed to be modified through democratic mechanisms. But the diagnosis was also shared. In third place the deterioration of the lives of the campesinos, healthcare, education and a lack of access to basic public services, a diagnosis partially shared. Then, the lack of infrastructure that needed to improve to increase the productivity of agricultural economy, of campesino agricultural economy. Shared diagnosis. From these shared diagnosis, we generated a common ground that allowed to search for solutions, like in fact we were able to achieve. This first element was agreed to months after beginning the deliberations at the negotiating table.

In regards to politics, the same thing occurred. When confronting diagnosis of the deficiencies of the political system, solutions started to become evident. Solutions that were not agreed to directly with FARC. What we did was to set up mechanisms for the improvement of the operation of the political system to be applied here in Colombia once the final agreement was reached, with FARC, without weapons, and with the presence of the other political forces. I want to clarify that this was not a negotiation over the characteristics of the democracy with a rebel movement still holding weapons, what we did was to establish the mechanisms, the paths, the mechanisms and the institutions that could generate changes in the political exercise, as in fact is starting to take place.

In regards to the justice theme, obviously one of the more difficult topics, the first step forward was to discard the idea of a general amnesty. FARC's initial position was that they were rebels, they exercised the right to rebellion, and all criminal events were acts of rebellion. Our position, was that the world had changed, and that after the Rome Statute, general amnesty is non-viable, and we were finally able to reach an agreement: The idea of amnesty only remained for the crimes of rebellion and related offenses, but core crimes under international law such as crimes against humanity and war crimes, the most egregious crimes would not be given amnesty. For this purpose a special jurisdiction was created



to which all those responsible would have to take part in, not only FARC, because what we were talking about was the general end of the conflict, not just with one of the links of violence. That jurisdiction has started to be implemented in Colombia, and is an independent and transitory jurisdiction, that executes transitional justice mechanisms, that characterizes sanctions in a way that is different from the traditional prison punishment. Thinking about the victim's best interest a movement and freedom restriction sanction system was implemented, which must be served in the places where the crimes were committed, next to the victims, face-to-face with the victims, and with reparatory purpose. Simultaneously the FARC has committed to present an inventory of their properties to contribute in that reparation purpose, without prejudice to direct administrative reparation mechanisms from the State which have been operating since years past. Therefore, we are now facing the classic trilogy which forms the justice system: Truth, through an extrajudicial commission, justice through the special jurisdiction for peace, reparations mechanisms as I mentioned earlier, and non-repetition guarantees that are part of all articles in the agreement.

This is a general overview, and I would have liked to share it personally with you, I know there might be questions and we will find a way to address these questions. Once again, I wish to offer my apologies for not being able to be there as I would have wanted. I am at your disposal so that we can somehow interact about the questions that will surely emerge from my presentation. Thank you and once again, I wish you success in your endeavor.