

## **THE PEACE STRATEGY OF THE PASTRANA ADMINISTRATION**

By FERNANDO CEPEDA  
*Lecturer in Political Science*

The panelists were Rafael Santos, Alejandro Reyes, Alejandro Santos, Maria Emma Mejía, and Alejo Vargas. They examined the following four questions: Is there one or more strategies for peace? Have the strategies towards FARC and ELN undergone any changes, important or not, throughout the process? Should the strategy be maintained, should it be changed looking forward to the new government, and what should be done in the year and a half remaining, and then, How is the issue of the paramilitaries being approached in the light of strategies, and of what must be done in the immediate future?

We wrote a text which we read at the end of our session, and which basically summarizes the essence of what was discussed, even if each individual is not completely in agreement with this version, but in essence this is what we said. The text is as follows:

There were guidelines rather than a strategy; guidelines which were drawn out principally in the speech on 8 June 1998 during the final round of the presidential campaign, on the peace process, and this was not really a strategy. The guidelines provided some orientation over the process.

Once the talks with the FARC were set up, the dynamics were different, the intention was mainly to generate trust during the time that Victor G. Ricardo was commissioner, and then a greater consistency was sought. The process itself suggested roads or options to follow, because the use of a prepared script was excluded. This is certainly more true in the case of the FARC. In the case of the ELN, there was a more solid concept, due to lessons learned with the FARC, with regard to the role of civil society and the attitude of the new Commissioner, although there were twelve people who had successively represented the government in conversations with the ELN.

There was no common strategy in approaches to the two guerrilla groups. To a certain extent, the relationship with the ELN was subsidiary. On the way, some plans of action have been drafted. There was a substantial modification in priorities with regard to the relationship between peace and drugs. The initial priority was inverted. The battle against drugs became the most important factor, as a key to the weakening of the guerrillas, and eventually the paramilitaries. This led to the new version of Plan Colombia, with the support of the United States. This introduced an element of coercion that had not existed before. Later in the day, a direct attack was added, with anti-drug troops, well equipped and well trained. The Los Pozos Agreement seeks for a redirection of the process which still has to materialize. Procedures and

mechanisms were created to give continuity and dynamics to the process. Civil society must contribute to making a reality of the potential of this agreement.

The true nature of negotiation of political, economic and social reforms has not been properly understood. The FARC expect that these reforms will take place, and they hope to act as observers of the process as an armed organization. So far, there has been a negotiating table which has not been representative, and has not succeed in achieving any national consensus. In this sense, there is no national strategy. Negotiations have been opened, and maintained, but there have been no real negotiations. In the case of the ELN, their status as subsidiaries led to a postponement which more than affecting or weakening the guerrillas has led to serious expressions of conflict, and possible local agreements of a preliminary kind between the FARC and the ELN, which might affect future negotiations. Although the situation is not clear, there are signs which require follow up to achieve a better understanding of the relationship between them. The systematic work of civil society has preserved the possibility of negotiations with ELN with different strategies and mechanisms. In future, it is considered essential to unify the two processes at some point in time.

The process, also looking into the future, should be institutionalized. The Peace Commissioner should have better advice and assistance available to him. The real participation of other government agencies, government and mayors, congress and civil society, and the Peace Council should be encouraged and given direction. This would give the process the character of a state policy which the new government would inherit, without giving up the possibility of new dynamics. To that extent, it is vital to the success of the construction of the State policy that the Frente Común Contra la Violencia (The Common Front Against Violence) with the participation of all political forces should work properly. But at the same time this should leave some flexibility to the new government on the basis of a minimum consensus.

The participation of the international community, the strengthening of the State and its Forces of Law and Order, the reaching of agreements on the validity of International Humanitarian Law, and with that, a de-intensification of the conflict, would contribute to institutionalize the process, and facilitate real negotiations. At the same time, it is essential to dismantle the paramilitaries. This issue should be part of the agreement of the *Frente Común*. On the international plane, it is urgent to seek a common strategy of the international community for a solution of the Colombian situation. This is the text which summarizes our discussions.

*DARIO ARIZMENDI, NEWS DIRECTOR CARACOL*

Thank you, Fernando. So the debate begins.

*ANTONIO NAVARRO, MEMBER OF THE HOUSE OF REPRESENTATIVES*

It seems to me that the hypothesis that what the FARC wants is a series of reforms, should be only a hypothesis. There may be others, even if they are not mentioned. Second, the name of the Frente Comun should be improved. The Frente Comun is for Peace and against Violence, and we cannot eliminate that.

## **THE ROLE OF THE INTERNATIONAL COMMUNITY IN THE PEACE PROCESS**

By ALVARO TIRADO  
*Lecturer, IEPRI*

The members of this group were Adolfo Clavijo, Otti Patiño, Anders Kompas, Arnaldo Jose Sandoval, Mark Chernik, Dario Villamizar and Alvaro Tirado Mejia.

The question had already been asked in the invitation to this encounter. "The role of the international community in the Peace Process -International mediation and the verification of accords". The group decided that it would not concentrate on international mediation and verification of accords to the extent that there is a consensus that both are extremely important, but that in the current state of the process they have not begun to function, and therefore that the following specific points were discussed.

First, there was unanimity in the group in highlighting the capital importance of the participation of the international community in the Colombian peace process. This was considered not to be accessory, but fundamental.

Second, there were some considerations of a general kind which can be summarized as follows. The Colombian conflict is not an international conflict, it is an internal one, but it has occurred in the context of an international agenda, only because one of its basic elements is drug-trafficking, and this, there is no doubt, is an international type of process. But there are also a series of issues in the Colombian problem or its manifestations, which are not exclusive to the internal environment but also impinge on the international community. One of these is displacement, immigrants, the humanitarian crisis, the problem of human rights, and International Humanitarian Law which are of a general nature, and must be understood to be so. This provides some special characteristics for the Colombian conflict, for example in relation to human rights and crimes against humanity. Other processes at other times at other times could to some extent avoid consideration of these matters, but necessarily if as expected, the Colombian process should move towards certain types of agreement, it is indisputable that the accords made for example on human rights can in no way avoid the point that there is international jurisprudence, and that for example in the ambit of the United Nations, international tribunals have already been created to judge certain types of crime, and that is the element which would have to be taken into account in the Colombian process. There will be difficulties if the issue is not avoided, but it is something which is there.

The group tried to make an evaluation of the process with the ELN and the FARC in the light of this international perspective, and its conclusions were as follows: that to some extent, what has been in both cases so far is not a classic participation of the

United Nations with their peace keeping forces, since the parties have not wanted this to happen, but a participation which someone in the group called “a very Colombian thing”. It is to seek, instead of international organizations, the presence of states which provide good will, but not in the classical form. Nonetheless, in both processes there has been the participation of a delegate of the Secretary General of the United Nations, who has been more active in the case of the FARC talks, and more discrete with the ELN; and it should be considered that this participation of States in the Colombian process will not at some point come into contradiction with the efforts of the United Nations or other international organizations, and we must be careful not to cause any conflict or contradiction between them.

In the case of the ELN talks, at least on paper, much work has been done. Indeed, work has been done on the idea of an international presence by some states, which would eventually take part as verifiers. At the same time, with regard to the ELN process, it was noted that the European Community has made an offer which would have to decide whether the process works, in order to receive contributions from the community in the economic and social areas. In the FARC process, the events of last week were seen to be very important, when for the first time there was a step forward towards participation of the international community within a process of a timid kind, but the first step was taken. That step also, is considered extremely important because it could lead to approaches between the parties, and to something which was also noticed, that the actions of the FARC should be given more political content.

It was noted that the United Nations delegate in this process had a more active part to play. Also, that what was known at the most recent meeting last week of a series of States which were represented in the Caguan is very positive, but everything still is at a preliminary drafting stage. It is hoped that this would be materialized with a clearer method, in order to evaluate the scope of that participation, and it was also noted that the international audiences which those States have announced in order to debate issues such as the agrarian reform might be positive, along with the issues of environment and external debt. The group also made a suggestion, that to the extent that international participation is organized, were possible, the States involved would act through more technical personnel, and not exclusively at the political level. It was also said that this action would not necessarily be through ambassadors, but that more qualified people could contribute. For the group, and this is a recommendation which collects up some ideas from yesterday, there should be emphasis on the importance of encouraging a deeper dialogue between the United States and Europe in regard to the peace process, and to unlawful crops. Also in the international ambit, and regarding the issue of human rights and International Humanitarian Law, there should be a global accord on those two issues, as a fundamental and necessary framework for the two processes, and finally, there was emphasis on the effect which the conflict has on neighboring countries, in its many manifestations. The group did not wish to advance any specific proposals, but did say as a point of study, the date, and consideration as a live issue, the fact of the relevance of the Andean Regional

problem, the problems with neighboring countries, to derive from that possible suggestions for support groups, or to have the problem discussed in the OAS, or in some other scenario. This was the synthesis of the group's discussion.

RAFAEL ORDUZ, SENATOR

It is true that there is an international jurisprudence with regard to human rights and International Humanitarian Law, I refer particularly to Geneva Protocol II. Nonetheless, there is a new jurisprudence on the way, for example related to the International Criminal Courts, and we are being encouraged to look at a Universal Criminal Code. Nonetheless, with these developments and jurisprudence, I have come across two positions. The first, that it is not convenient to encourage the globalization of criminal law, because perhaps the armed groups will not like it, and secondly, we must advance as fast as we can. I would like to ask the group whether it considers it convenient to recommend to the Colombian Government and State and society, to go all out to incorporate this jurisprudence into local legislation.

ALVARO TIRADO, IEPRI LECTURER

I cannot answer in the name of the group, but I will answer for my own opinion. These issues, whether we like it or not, are already international. For example, this week, a court in Argentina declared an amnesty law unconstitutional there. There is already an international movement in which certain types of crime are considered to be above traditional sovereignty, as matters of humanity, and matters which should be considered by ad-hoc tribunals which the United Nations is creating for the purpose, or by some universal competency, in which the judges of a country, regardless of the country in which the crime was committed, may have competency for any particular reason for such matters. This is something on which we can no longer say yes or no. Further, and whether we like or not, we must submit to this. It does not matter that in Colombia, hypothetically, there might be some law which exonerates people who commit certain types of crimes against humanity from blame, this would be of little value in the face of international practice in this area.

RAFAEL ORDUZ, SENATOR

I was the proposer of a bill in Congress which attempted to incorporate a 1968 convention to remove prescription from atrocious crimes, and I would like to mention that the law passed through its first debate in Commission II, to which I belong, but it was held up in the plenary, and was then completely frozen, with the argument which I have just made, it is better that the armed groups are not provoked. If we insist on punishing these atrocious crimes, we may hamper the peace process. I therefore insist that there are two positions. One, is to turn a blind eye to these new developments, which are different from the situation that we know, and the other is to encourage them. For example, that law which has been frozen.

FERNANDO CEPEDA, LECTURER IN POLITICAL SCIENCE

I understand that the 1991 Constitution incorporates all conventions and treaties on human rights into the Constitution. The Colombian Constitution is the 1991 Constitution, plus all those conventions and treaties. Am I correct, Doctor Lleras? Certainly, Colombia has ratified almost all of them. What would be worth while, is to fight for the Treaty of Rome, to incorporate the International Criminal Court, because we have signed that, but we have not taken any proceedings in Congress.

ALVARO TIRADO

With regard to the International Criminal Court, and I am also completely in agreement that Colombia should fully adhere to it, there are elements which sometimes do not come up, and one is that eventually there would be a need to reform the Colombian Constitution on some points. For example, in Colombia, there is no live sentence, and in the International Criminal Court and the Treaty of Rome live sentences may be imposed; and there are two or three other points which have to be studied, and possibly incorporated as constitutional reforms in order to be able to sign, because in the Treaty of Rome no safeguards can be signed.

JOSE MIGUEL NARVAEZ, REPRESENTATIVE OF FEDEGAN

Something needs to be made clear at this point. First, the new Criminal Code has already defined the offense of *lesa humanitas*, which is the first step towards the International Criminal Court. The regulations of the International Criminal Court says the first phase of trial of nationals must be in the national courts. Colombia is also the only country in Latin America which has specified forced disappearance as a crime which never existed before. This all goes towards the same point. Today, if I'm not wrong, 39 countries have signed. The first which have not signed are United States and China, and I think I'm right in saying that the regulations of the International Criminal Court require at least 60 signatures for the court to begin to function. I will respectfully suggest that we pay more attention to the acceptance of International Humanitarian Law by those in the conflict, since in the group in which we had the opportunity to develop other themes, we touched the edge of the declarations for example of Alfonso Cano, with regard to his acceptance of International Humanitarian Law. In that regard, Cano said that the FARC had not accepted, since according to him, these agreements had not been signed with the presence of the guerrillas. This shows some inconsistencies and ignorance of mandatory law, in the light of whether or not one takes part in writing international accords or pacts. But we must acknowledge that Colombia has already gone some way down the road not only in defining *lesa humanitas*, which did not exist, but also in defining forced disappearance. In other words, regardless of the removal of prescription which Doctor Orduz mentions, the regulations of the International Criminal Court at the time

when they come into force, will already have the characteristic of *lessa humanitas* and another important thing, not only that, but also war crimes which are also defined in Titles I and II of the regulations of the Criminal Court.

CARLOS LLERAS DE LA FUENTE, PRESIDENT AND DIRECTOR OF EL ESPECTADOR

I just want to clarify that the 1991 Constitution does not prohibit life sentencing. All that is prohibited is the death sentence, such that life sentencing may be prohibited in the Criminal Code, such that no constitutional requirement would be required in that area.

OTTI PATIÑO, EL TIEMPO JOURNALIST

This may be a repetition of what the rapporteur said, but I think one of the elements of the participation of the international community is that it is not only through negotiation, but also that given the characteristics of the Colombian conflict, the questions and recommendations are how to avoid degradation of the conflict, and in particular how to contribute to the containment of that degradation. One of the elements undoubtedly may be the International Criminal Court, since the Court is not retroactive, and in that sense, even though off course International Humanitarian Law is enforced, the fact that a time is set and a limit is put into barbarism, those in some way and element which may be compelling for a solution of the conflict, and it is not necessarily an element which inhibits negotiated solutions. There are other elements such as the avoiding of the prolongation and expansion of the conflict. Undoubtedly, the Colombian conflict has broken across frontiers, and has spread to countries such as Ecuador, Panama and Venezuela; that is, the suggestion merits special attention. United States itself recognized this, since the Secretary of the State has proposed that the problem of drug trafficking must be seen in a regional context; therefore, the idea of impeding the expansion of the Colombian conflict seems to me should be the object of reflection and action by the international community.

ALEJANDRO SANTOS, DIRECTOR OF THE MAGAZINE SEMANA

I agree with the comment of Senator Orduz, because I believe that in the context of new international criminal justice and the new tribunal which is being formed for Colombia, it is extremely important, and may be an extremely perturbing factor, particularly if crimes such as kidnap are considered to be crimes of *lessa humanitas*, and knowing a little about all the investigations which are in train against the FARC leaders, the top paramilitaries, I believe that this is a definitive issue which is part of globalization, which is irreversible, but which for our internal processes is fundamental; and I do not know if the Government has studied the matter, or is betting that the implementation of the tribunal may take another 5 years to arrive in Colombia,



and within that time, we perhaps will have achieved peace. But it is still a worrying point, and requires to be studied immediately.

Second, I communicate a small concern to the group. I would like to know if they have talked about the economic aspects of the international community, the possibility of economic aid, or did the group simply limit itself to political matters.

ALVARO TIRADO

No, the group simply took note of the fact that in the ELN process the European Community has made some offers in that field, but the group did not discuss the economic part.

ANTONIO NAVARRO

I'm afraid that we have treated the law as a kind of tremendous fetish. With great respect, I do not believe that if we sign on to the International Criminal Court, this would have any internal effect, as the issue of kidnapping, or the increase of sentencing to 50 years had no internal effect either. I sincerely believe that the right thing is to do what has to be done, but that will not become in itself an obstacle to the irregular activities in the war. It's much more important to make progress on agreement which have self imposed limits on the action of the armed groups and the irregular forces. Also, I believe that this group should at least mention something on a more global management of the issue of international shared responsibility on many matters, not only drug trafficking, but on others as well such as arms-dealing. We cannot have an attitude in which we simply put out our hands to see what they give us. Here there are matters which imply commitments of another order on the part of the international community.

JOSE MIGUEL NARVAEZ

Going back to the subject of the group on verification, there was something interesting in the recommendation. We are analyzing the inference of the international community on the accords, but it would be interesting to think about the possibility of having nationals verify the processes. It is sad to see how on 28 March 1984, we signed a series of regulations for verification of accords, and unfortunately that purpose was never achieved. So perhaps here there could be a respectful recommendation, since I have never seen such sensible, detailed and thorough regulations, and it would seem effective that the regulations designed for the virtual encounter zone, I don't know if this is possible with the ELN in Southern Bolivar, why not apply the same profile which is a healthy one, to restore legality, to the encounter zone or the demilitarized zone for the FARC?

## **PLAN COLOMBIA AND THE REGIONAL CONTEXT**

*RODRIGO PARDO  
Journalist, El Tiempo*

This meeting was between Joaquin Villalobos, Carlos Lozano, Dario Arizmendi, Hans Blumental, Barbara Moore, and Rodrigo Pardo. The questions which we had prepared were the following, with regard to Plan Colombia and its regional context.

What effect has Plan Colombia had on the peace process, and on the dialogue between the Government and the guerrillas as such?

Second, if Plan Colombia is eventually regionalized, what would the cooperation of neighboring countries be to the peace process?

Third, what can be done to avoid the negative impact of Plan Colombia on relation to the neighboring countries?

Fourth, what should Colombia be looking for from the international community, with regard to the paramilitaries?

And we added one which we called Question Zero, which came from observations made yesterday on the existence or non existence of the Plan, and its supposed or real character as a ghost-plan. So we begun with this last question, and after a brief discussion we came to the conclusion that the plan really does exist. Plan Colombia, as President Pastrana Government sees it, is an integrated plan which is worth some US\$7,000 million, and includes very diverse areas, but in normal or journalist language, we talk about Plan Colombia as a synonym for the contribution of the United States to the plan. This contribution is less than US\$1,000 million, about US\$900 million, of which some 80% is military and police aid. If one divides that amount by the two years of Plan Colombia, we can see that the increase in US aid in Colombia is not very large. However, there is some qualitative considerations which do have consequences and implications of great importance. Fundamentally, the fact that this military-type aid comes mainly for the Army and not for the Police, as US aid use to come before. And second, the fact that this aid from the US aid to Colombia has come at a time when a peace process is opening up.

We said during discussion that possibly a plan of this kind could have been adopted at times when there were no negotiations in train, so that some of the political consequences which Plan Colombia has generated would not have been caused. We said that seen from this point of view, there is undoubtedly a divorce between the reality as such, and perception. Perceptions are somewhat biased towards magnifying the importance of this plan, and we will have to add that the Government has had a weak policy for explaining the plan, and selling it to public opinion at home,

and to neighboring countries, to which we could also add contradictions in the tradition of the Government itself with regard to the meaning of the plan, and there we drew out three main points. Two of them came out yesterday, in the speeches of the Ministry of Defense and the Peace Commissioner with regard to whether the FARC should be required to lay down the arms or not as a condition for the process, and the same with regard to an accord in the area of International Humanitarian Law, specifically against the exchange of hostages and prisoners, against which the Minister of Defense spoke, the peace commissioner being in favor. We also said, third, that there is a contradiction or inconsistency with regard to a by-lateral aid plan, as contemplated in the US contribution to Plan Colombia, it is seen as a general and multilateral plan, such as is the vision let us say of the Government, when the other programs and contributions which in theory other countries and other entities in the international community should make are included.

We therefore believe that if we understand Plan Colombia as a contribution of the US basically to support the Army, this is a measure which has many meanings and may even have positive effects on the negotiating process. First, due to considerations of a philosophical kind, it is legitimate that the State would want to strengthen itself, and increase the effectiveness of its institutional mechanisms for the defense of the public, and there are other more pragmatic considerations, basically the fact that the concept in which the process with the FARC is being managed is to negotiate in the midst of conflict. Thus, if there is negotiation in the midst of conflict, and the FARC themselves are arming themselves, and strengthening their capacity to act, it is logical that the State should do the same, and this might affect the correlation of forces at the negotiating table itself. There was also mention of the effect which increased aid from the United States had in 1984 in Salvador, in supporting the Salvadorian Army.

The life of that country, elections, civilian presidential elections after many years, begun before the peace process, to some extent by the pressure of US aid for the Army. We said that this support for the Army, from the point of view of talks with the FARC has two effects: one positive one and one negative. The positive one is dissuasion, that is, to the extent that the balance of force tilts in favor of the State, the possibility of negotiation grows, specially since, as I said before, perceptions do not coincide with reality, and there is the idea that Plan Colombia is more than what it really is. And the group commented that no doubt the greatest exaggeration has occurred in this sense is among the FARC themselves, who must even think, in hypothetical terms, that the levels of aid are greater, and that the follow up which the Plan will have is greater than what it really can be, or what has been agreed to be. In addition to this dissuasion, there is a negative effect which is the loss of trust which the FARC may suffer, as a result of the fact that the Government is opening up a channel for dialogue and negotiation at the same time as it is, as the guerrillas themselves see it, seeking an alliance with the United States to combat them. We nonetheless believe that for the time being the dissuasive effect has been greater than that of the loss of trust, and to the extent that that situation is maintained it is not

convenient to change the present situation of an exaggerated perception of what the plan means. Mention was also made of the parallel with El Salvador to which I referred previously, when the United States increased military aid to that country, there was a reduction in violations of human rights. Something similar might happen here, if the strengthening of institutional mechanisms removes the opportunity for the paramilitaries to grow as a mechanism of defense of sectors affected by the violence of the guerrillas.

With regard to the issue of neighboring countries, the first point has to do with the problem, the origin of the problem of Colombia with the neighboring countries is not Plan Colombia as such, but the situation of Colombia itself. And more specifically, the possibility that the conflict may expand, on the one hand, or the possibility that drug-trafficking, and this is related to Plan Colombia, should seek to move out to other places if some of the Plan's programs such as fumigation, etc. turn out to be successful. There we have two recommendations which are basic: first, the anti-drug battle must be regionalized. As part of the spirit of the meetings held at the beginning of the 1990's, there should be an involvement of the countries affected by drug-trafficking, with the different facets of trafficking of this region, with the United States, in the construction of a comprehensive alliance such as those which have been formed, and were the origin of initiatives such as the Andean Trade Preferences. But aside from that, and in a different area, we believe that it is important that Colombia have a regional strategy related to the peace process. What do we want our neighbors to contribute to the peace process? This would be an area for which the United States would not necessarily have to be present, it would not have to be very formal, and it would be sufficient to have meetings every six months, or thereabouts, to strengthen the ties of Colombia with neighboring states and to avoid any possibility of links between neighboring states and the FARC.

And then naturally, we spent some time on the subject of Venezuela. We believe that it is evident that there are difficulties in communication between the two countries, due to the different political philosophies of those in power, for a series of reasons which this is not the place to analyze, but which make communications difficult, and we believe that to the extent that the relations and communications between Colombia and Venezuela grow worse, this will maximize an undesirable interference by that country in Colombia's internal affairs, and specially in the peace process, or it maximizes the possibility that the participation of Venezuela in the peace process will be different from that which the Government of Colombia wishes. Therefore, we believe, that despite the difficulties of communication, and the different policies which may be in place in the short term, it is desirable for Colombia to strengthen its relations with Venezuela and have the best possible levels of communication, even thinking that at sometime, Venezuela, at Colombia's request and in harmony with the Colombian Government could play a role in the peace process. It was mentioned as a parallel the role played by Mexico in the Centro American process, that was a country which had leverage, and credibility among the guerrillas.

With regard to the last point, on paramilitarism, we see how Plan Colombia has affected Colombian society and the Government with its pressure, to intensify the struggle against the paramilitaries, due to the conditions included in the law which approved Plan Colombia in the matter of human rights, the effect of some policies of the United States such as the announcement of the withdrawal of visas from those who support paramilitary groups. We believe that in relation to neighboring countries, as part of the strategy or the idea of regionalizing support for the peace process, it will also be important to involve them in this policy. However, we note with concern since we have no answer, that paramilitarism is an internationally isolated phenomenon, which has earned enormous disapproval internationally, and if at a given moment of the end of the peace process some measure has to be taken by the Colombian government to deal with the problem, the room for maneuver and the room for independent action will be very small. That is to say, if we talk of an Army which at the moment is 8,000 men as the Ministry of Defense said, which may increase to 10,000 or 12,000 when the peace process eventually ends, what we do with this people may be a difficult problem to solve if this level of coordination and unpopularity continues.

Finally, although it has nothing to do with the questions which we asked, or directly with the subject of a meeting, when we analyze that many of the matters that we discuss refer to perceptions, problems of prestige, differences between perception and reality, etc., we did reflect that we wanted to explain to the Plenary the importance of the role of the media, the responsibility with which the media should act in their work, obviously to the extent that there are guarantees for all the media.

RAFAEL PARDO, DIRECTOR OF CMI NEWS

With regard to the theories of neighboring countries, I think that what Rodrigo wrote is quite reasonable. And I would make the following comment. The neighboring countries are quite justified in being afraid. The scenario which we saw yesterday, of what happened in 1995 when coca leaf crops declined in Peru and came up to Colombia, is that neighboring countries are waiting to see if coca leaf crops decline in Colombia, and go over into their countries. So I believe that what we must bear in mind is that each country seeks to protect its national interest. The national interest of Colombia's neighbors is that there should be no coca leaf growing in their territories. It would be good that coca leaf production falls in Colombia, and if demand remains and there are no restrictions on production, then there are no barriers to the exclusion of production of coca leaf, there would not be if offer is restricted in Colombia, but it would increase somewhere else. So, countries which are against Plan Colombia because they believe that it may work, and reduce the growing of coca leaf in Colombia, I think that we have to understand that not as enemies of Colombia, but as defenders of their national interest.

ANTONIO NAVARRO

I don't want to be a pest, speaking all the time, but one of the original sins of Plan Colombia is that it was discussed in Washington and not in Colombia. Therefore, I do want to make a recommendation that its extensions should also be discussed in Colombia.

FERNANDO CEPEDA

To complement what Rafael Pardo said, and more as a problem of editing for the final version of these proceedings: the fear and the concerns of neighboring countries are legitimate, but we must say and recognize that Colombia's fear is also legitimate for things which by omission or action are happening in neighboring countries in reaction to the Colombian situation. It is therefore a matter of joint work between neighboring countries and Colombia, which will avoid mutual and justified fears. It would balance things up.

ENRIQUE GOMEZ, SENATOR

Before continuing discussion on the papers, I would like to tell you what someone has just mentioned when I went out to make a phone call. We should take account of how the peace process is going. There is a statement from Tirofijo saying that if Alvaro Uribe continues to be a candidate, or wins the elections, all conversations on peace will be suspended. That is a definitive notification that there is no will for peace, and what they are trying to do is to impose their political will on Colombians, at gun point. It is a clear notice that three journalists have just given to me, and I believe that this forum should take a very serious note of the circumstance.

DARIO ARIZMENDI, NEWS DIRECTOR CARACOL

I invite Alvaro Camacho, the Director of the Social Studies Center of Universidad de los Andes who was rapporteur on the article on the influence of the drug problem on the peace process.

## **THE INFLUENCE OF DRUG TRAFFICKING ON THE PEACE PROCESS**

ALVARO CAMACHO

*Dean of the Faculty of Social Sciences,  
Universidad de los Andes*

I had the easiest group. In alphabetical order, we were Moris Ackerman, Guillermo Barrera, Fidel Cano, Gilberto Echeverry, Arturo García, Daniel Pécaut, Nicanor Restrepo and myself.

Some original questions have been designed, which I will not read because they were quick, and unfortunately, they were overcome by the dynamics of the group which started to talk about other and more important issues than those which had been originally proposed. In general, we made some comments on the history and factors associated, trying to answer the question why there is drug trafficking in Colombia. There were also comments on the original dimensions of drug trafficking, and the part played in the prices of farm production in frontier and settler zones. Comments were also made on the story and impact on drug trafficking, particularly in Antioquia and its nation wide impact on the destruction of the fabric of society; criticisms were made of current policy, it was recognized that they had failed, and suggestions were made of the need to have alternative policies; obviously, we talked about the need for comprehensive policies. Reference was made to the causal influences between peace and drug trafficking, in terms of what should be done first, whether drug trafficking should be eliminated first, and then the fabric of society should be reconstructed, or the other way around. Comments were also made with regard to the role of drug trafficking in the destruction of the institutions, and there was much emphasis on the need to act against drug trafficking, without waiting for the peace process. There were also strong comments and suggestions regarding drug-trafficking and its association with the decay of traditional agriculture, and many policy suggestions arose from this. This was in general the set of subjects which were discussed, with greater or lesser emphasis.

In synthesis, there was a debate on origin, and here there were two positions. One refers to drug trafficking, as an element of culture, forms of specific culture like niches, which would explain the origin of the problem in relation to alternatives which refer more to the structure of opportunities, that is to say, that drug trafficking is not the result of cultural factors, but arises because there is a structure of opportunities which gave it origin, and permitted it to develop. There was much emphasis on the need to recognize the negative impact of drug trafficking on Colombia, in particular in four components. First, that it is a fuel to the conflict. Second, its role in terms of the destruction of institutions. Third, its role in the destruction of the fabric of society; and fourth, its negative impact on regional and environmental matters. There was also emphasis on the need to face up to drug trafficking, independently of the peace process. It is a problem in itself. There was also emphasis on the need to recognize

the international dimensions of the phenomenon. The current policy of the Colombian government is weak. We therefore proposed a series of needs, of things that ought to be done. First, there was much emphasis on the need for international ethical strategy. There was also a need to seek new international accords to reformulate policy, and to turn our attention to the dimension of public health in this issue, in particular, consumption. When we reach the more specific proposals, there was a suggestion of a twin policy with the recognition that unlawful crops have two main sources: on the one hand, the small producers with an average of two hectares, etc., and the major producers who on an industrial scale. For the small holders, there is much emphasis on the need for a policy of subsidies, and figures what you have mentioned. But cash subsidies. There was also a strong recommendation with regard to the need to relocate the small producers, thus to recover and confiscate land acquired by the process of unlawful enrichment, the law properties of the drug traffickers, to resettle the small producers there. With regard to the major or industrial-scale producers, we recommended that instead of a policy of fumigation and aerial spraying, there should be an interdiction based policy on a nation wide basis. This would be an internal measure to the extent that international interdiction is now being talked of completely different prices, and for completely different types of problem. This interdiction policy should have major international support, and should address three major areas. Interdiction of chemical precursors, the interdiction of products itself through control on the rivers, in the air, etc. and international action and interdiction with regard to money laundering, and the role of the financial sector. So these are two different policies, depending on whether the small or the major producers are involved.

A very special recommendation was that an international academic commission should be formed to evaluate anti-narcotics policy, and to propose a new policy based on some of the principles mentioned in this commission. Amongst others, that there should be a commission of academics to recommend policy. We did not agree specifically on how this would be set subsequently, that is, to whom the recommendation should be made, but at least that the commissions be formed, and that the academic role should contribute to the design of the new policy. And the final recommendation, is that the Colombian government plays a more productive role in the reformulation of international anti narcotics policy, specially that Colombia's international relations be diversified in this field, being much more open to context, exchange and relations with European countries, and that above all, it gains greater support from the international community in this process of diversification of international relations.

DARIO ARIZMENDI

The debate is open

FERNANDO CEPEDA



I don't know if my mind was wandering. The subject of the paramilitaries in relation to this question? or this issue is what?

ALVARO CAMACHO

No your mind did not wander. First, this formed a sort of part of one of the questions, and comments were made, but the idea is that between Colombians and Americans we have been discussing for years whether the program is one of supply or demand. The first question starts from the recognition that this can be a slightly Byzantine discussion, which establishes a chain when the thing is not necessarily a chain but a system of relationships which is much more complicated, and we suggested the existence of three forms of demand and three sources of demand, on growers demand, which is the demand of the businessman, the drug trafficker, the trader, who proposes a demand for a product. The guerrilla organizations are a source of demand, and of income, and are a kind of stimulus, as are the paramilitaries. We therefore spoke of three forms of demand, including as one of the members of the group said, but we should not speak of demand, but of promotion. I personally am not prepared to use that word promotion, but the mention of the paramilitaries was in the context of the fact that they are a source of demand for the producers of unlawful crops.

ENRIQUE SANTOS

It is for that relationship with this issue, I believe that despite the fact that we mentioned drug trafficking as a fuel for conflict, there must also be a more explicit reference as to how the economy in unlawful drugs feeds on itself both on the guerrilla and paramilitary side. In the south, the cocaine crops controlled by FARC, in the north they are a mechanism for financing of the paramilitarism. I think that this point should not be forgotten.

MARCO PALACIOS

I think also that there are some regional politicians in the jobs-for-votes system involved, not just guerrillas and paramilitaries, but there is an electoral interest being financed there. We would have to include this. But the other point is what happens to the production facilities, the airstrips, with all the rest of the infrastructure which does not belong to the producer in relation to demand, and the conflict as such, that is, protection for such things.

ALVARO CAMACHO

I must admit we did not talk about this. I personally think that it is part of the problem. And in that sense, a narcotics policy would not only have to cover obviously but also act on crops and demand, and we are including those two dimensions, but we did not specifically discuss this in the commission.

RAFAEL NIETO

There is a point which I do not clearly understand with regard to the international commission to study the problem of drug trafficking. My question is, is a commission to study the problem of the treatment of drugs from the point of view of Colombia, and in Colombia, or is the idea that this is something global to be studied and to define the way in which the world is combating the drug problem?

ALVARO CAMACHO

I do not think that one can try to make this a world matter, no. The important thing is that the commission is international, that it is academic, and that it should discuss the problem with regard to Colombia obviously, but there was no specification as to whether it would be a world scale thing.

RAFAEL ORDUZ

I think that the commission should think about evaluating in practical terms the official drugs policy, in the following way. A policy, which as we said yesterday has implied a tripling or quadrupling of the area sown with coca leaf, which has not succeeded in doing away with consumption, but on the contrary is related to an increase in consumption. Colombia has paid a very high price, and for that reason should lead an evaluation of that policy. That is the sense at least in which I understood it.

DARIO ARIZMENDI

Having analyzed Rafael Nieto's concern, we suggest to the commission that it discusses the concerns expressed by Enrique Santos and Marco Palacios. I invite Ana Teresa Bernal to present the questions which were made on the working group in the area of the role of civil society in the peace process.

## **THE ROLE OF CIVIL SOCIETY IN THE PEACE PROCESS**

ANA TERESA BERNAL  
*Director, REDEPAZ*

This commission was composed of Mario Alonso Agudelo, Marco Palacios, Rodrigo Gutierrez, Henry Medina, Eugenio Marulanda, Enrique Gómez, Juan Gossain and myself.

We begun by asking ourselves the questions in a group, and the first was the \$64,000 question. What is civil society, and what do we understand by it? Once we accept that there is no very clear concept or any very developed idea, we agreed in considering that the organized groups of society other than the State could be called civil society. In this, we made certain value judgments. For example, it is considered that the organized groups in society arise on many occasions to relieve or attend to problems which the State does not. On many occasions, they are ephemeral, arising with the problem and disappearing when the problem has gone. On other occasions, they help to stop damage to the fabric of society as a consequence of the current crisis and violence. It is also considered, in the face of the weakness of the political parties that the civil organizations often fill gaps of dialogue, which could be filled by political parties. Nonetheless, this is not seen as an opposed position. We consider that there should exist organizations in civil society, that there should be strong political parties, and that they should be complementary in their actions to resolve many of the problems of society. The organizations in civil society are expressions of democracy whose purpose is to defend group interests. Civil society should play an active part in the construction of peace. We made an evaluation of the role played by civil society in the construction of peace, and we consider that it has contributed to many aspects and played an important role. Also, that each person has a different way of being affected by the conflict, and in this sense, we made some evaluations as to how civil society is affected as a victim of violence, in the case of the displaced. Another question, is how we should act in the face of this type of situation, and on many occasions these organized relations contribute to alleviate problems. In the case of organizations which work for the displaced, with the families of soldiers or police who have been held by the forces of violence, or in the event of kidnap or who work with children, or with women or victims. These organizations also contribute to a sensitization of society to the idea of coexistence, peace, respect for human rights and solidarity. They have also played a part in calling for mobilization, in the quest for a political and negotiated solution to the armed conflict, and the struggle against violence, and the lack of respect for society in terms of aggression against the civilian population.

The other question is how civil society should participate in the peace process. We made a distinction, and that is that the construction of peace is much more than the process of peace and the construction of peace we believe to be the action which

society, and the State, should undertake in solving a number of different problems, not all related to the internal armed conflict. There are many situations of violence or critical situations which have nothing specifically to do with the armed conflict, and this for example we could class social violence, daily violence, and society must play its part in overcoming this type of source of conflict. But when we speak of the peace process and of a negotiated solution to conflict, we consider that society should also be involved. Fundamentally, society should take part to demand that in Colombia there are solutions to problems, and this participation should have a critical approach. Society should participate by offering its opinion, and by building up an agenda for the solution of conflict. We consider that it is very important for civil society to help in the construction of a social state of law which will strengthen democratic institutions in all fields, in the economy, politics and in society itself. In this sense also, society should encourage the strengthening and modernization of the Armed Forces, provided that those forces are respectful for human rights, guarantors of life and democratic security for all. We should support the peace processes which the government has begun, taking a critical look but also a proactive look at it, and demanding specific results in the process of dialogue and negotiation. We should take part. We said that just as there are different ways in which the conflict affects us, there are also different ways of searching for solutions, and to that extent we very much value the participation and the strong attitude of society, in the terms of solving the conflicts.

One point that we considered important is that in this process a strategy should work in overcoming all forms of violence. Phenomena such as corruption, impunity and exclusion should be attacked by society as a whole with a view to eliminating them.

Another question which we asked was how the media should be related to the armed groups acting outside the pale of the law, and their participation in the construction of peace. To begin on this point, we made an evaluation of what happened, today's views on the guerrilla attack on the village in Valle, and it was commented that one of the media recorded the attack, that there is a life recording of the moment of the attack. We therefore made an evaluation with regard to the need to overcome the syndrome of sacrificial lamb in situations of this kind, and we consider that there should be a major responsibility on the part of the media with regard to the peace process. Beyond their duty to inform properly, the media also have an instructive role when they provide information. To this extent, there must be an ethical commitment to help the advance of peace in Colombia. Starting from this point, we also said that there was need for a communication strategy for the peace process, and for a much clearer understanding and comprehension of what is going on, how it is happening, and where society is going. In relation to the point on civil society and the paramilitary groups, the group considered that this is a very serious phenomenon. That there is a marked intensification of these groups, which are growing and developing, and represent therefore a serious danger to society. We considered that the illegal groups are not convenient for Colombia, and that society should therefore reject them. Society should not support these groups which have taken it upon themselves, to

speak on matters which do not concern them, and on the contrary, society should support the State in its action against them. That is what we said.

DARIO ARIZMENDI

The debate is open.

EUGENIO MARULANDA, PRESIDENT OF CONFECAMARAS

We'd just like to say something of which is in agreement with the position just made by Ana Teresa. Universidad Javeriana and Confecamaras have made an invitation to a business discussion table on peace 15 days ago in Paipa, with a multidisciplinary and polyvalent group, of all expressions of Colombian society. We have delivered a copy of the discussions to each of you on diskette, because we think it is a good instrument to begin to bring our concepts, notions and terms for national reconstruction down to earth.

RAFAEL SANTOS

On two occasions, at the table, two of the rapporteurs have made marginal references to the issue of the media. Simply to call attention to the need to approach this issue more thoroughly at some point of the discussion. I think that much is said, but is not defined, and I believe that it is evident that it is increasingly important specially in a peace process so widely publicized as the present one, but we should look with much more detail and care at the role which the media play, and how we can in some way do what we do with responsibility, so that the outcome of the peace process will not be hampered, or not be undermined by a desire for publicity in the media.

DARIO ARIZMENDI

Very important, Rafael. I personally share your view.

ALEJANDRO SANTOS

Following the theme of the media, Ana Teresa commented on the famous syndrome of the sacrificial lamb, and the excesses committed by the media when covering conflict, many of them the product of improvisation, perhaps of the headlong dynamics of the media, lack of preparation, etc. I believe that beyond that, there has been no debate within the media as to what their role should be with regard to the actors in the armed conflict, if the media really are seen the situation independently and objectively, with regard to the armed groups and the State, or whether really the media are on the side of the state of law, with all its critical position, with all its work in control, but they defend that State of law. The newspaper El Pais, for example, in Spain has in its editorial manual, that they defend democracy and are defending the state of law

against all manifestations to the contrary. In Colombia, given the characteristics of the conflict as Rafael said, which is a most manipulated element, and most of the war has been transferred to the grounds of the media, it is basic that media directors stimulate the debate, and make that reflection on what the role of the media should be, what should be the editorial attitude and policy with regard to the actors in the conflict and the war.

HECTOR PINEDA

I believe that just as in the times of civil society, Colombia in the matter of peace lacks what someone here has called the syndrome of the sacrificial lamb, with regard to the media, and the matter of peace and negotiations. I also believe that in this country we should pay attention to a syndrome called the syndrome of participation. That syndrome in my view is a misinterpretation or misunderstanding of what participation is. Civil society sometimes takes upon itself competencies which it does not have, and we see civil society sitting at the negotiating table talking of negotiations, when it is not within the competency of civil society to do so. Civil society, "doing humanitarian work or contact with armed groups outside the law" is not acting within its competency. I believe that the syndrome of participation is in some way hampering this issue of negotiation, and at times instead of helping, what it does is to generate more confusion. I therefore believe that we must pay attention to the fact that civil society should participate in the construction of peace, but in terms of negotiation, that is the exclusive competency of the Government and the State.

ADOLFO CLAVIJO, GENERAL (Retired)

In think that what you have discussed as the first point is very well conceived: what is civil society, and all that you have tried to clarify and that I understood have clarified. But I believe that in all events we should discard this name-surname label, of civil society, and refer simply to society, and understand that the Armed Forces and the Police are part of society and are fundamental and vital elements of it. To this extent, there is perhaps an unnecessary condition made by the group, and this is the fact of giving support and help to the Armed Forces if they respect human rights and the International Humanitarian Law. The forces are doing this. So I believe that society should give it support, and not put that condition on it, since we have seen much logically there are some members of the institutions who violate human rights but at individual level. But it is the exclusive responsibility of the person who does so, and it is not institutional policy. Therefore, let us involve and treat the Armed Forces as part of society, as part of ourselves, and not put conditions on it, since as an institution the Armed Forces are doing the wrong thing.

ENRIQUE SANTOS

A brief comment on the media. I would simply like to remind you that in the fourth seminar which we had in the framework of these discussions, we concentrated on the role of the press and the media in the armed conflict. On that occasion we had very interesting experiences from abroad, the very constructive role which the Irish media for example had played, the disastrous role played by the media in El Salvador, and we also undertook self-critical exercises of what we were doing ourselves. But evidently, we did not go far enough. In the last two years there have been excesses, and the role of the media is daily more questionable. Therefore I believe that this should be the theme of the next seminar which we organize.

DARIO ARIZMENDI

Enrique, I believe and suggest to the Foundation and the American Embassy and the organizers of these meetings, that given the gravity and importance of the role which we play as the media, a seminar should be organized before the end of this year. It seems that perhaps next year is too far away, and along the way many errors may be committed, and perhaps participation in this new seminar could be broadened to other media not directly involved in the organization of this meeting.

CARLOS LLERAS DE LA FUENTE

I would not want a discussion of these subjects to become a conversation to inculcate or judge those who inform, and not those who commit criminal acts. The journalist has a duty to inform, and he cannot be blamed for doing so. The blame must be placed on the murderers, the traffickers, and the other criminals. Objective information is an obligation of a newspaper. In my case, this duty is discharged, and will continue to be so. I will not stop informing, working with due prudence, but I will never stop informing. Second, the newspaper has a very clear editorial policy, which in summary I could say consists of "going for everybody equally". And I mean criticism, the newspaper teaches, the newspaper has to have a position, it cannot simply be an observer as was being said, the newspaper has always been doing this, and has a very clear policy with regard to the paramilitaries, the ELN, the FARC, and the Government without distinction, and it is criticizing or praising the actions of what of any of them, when they do badly or well.

I was indeed very annoyed that the Peace Commissioner said yesterday that I had criticized the media. It seems to me unacceptable that a Government official should believe that he can criticize the media, and in addition to that do us the favor of saying that he was not going to criticize us anymore. This is extreme stupidity which is not pardonable in a high officer of the State. The media are not going to be intimidated by Peace Commissioners or Presidents, or anybody, not even the paramilitaries, nor any Castaño or Tiroido, nor any other kind of personage, there is no way this would happen. Marulanda also criticizes us, as if one should say that we received criticism from a distinguished kidnapper or a Peace Commissioner. All these are the same,

and to the extent that the newspaper has the courage to stand up to people and say to all those who deserve it what they deserve, at any cost; at any cost, because it is the duty of the journalist, and that is why they kill journalists, kidnap journalists, and why journalists sometimes have to leave the country, because they are doing their duty to inform and offer an opinion on events. So let us not fall into the track of saying that it is a sin on the part of the media to talk about events, and have an opinion on events. No. The part doing the wrong is the country as a whole, the part doing the wrong are the subversive groups, people, a decomposed country. So I would like to make my position clear that we should not concentrate on seeing whether those who inform and those who offer opinions are in the wrong, and we are not going to change our position in any case. In my case at least, nothing. I am not going to change with regard to informing about everything, and criticizing everyone, equally, as and when it is necessary.

DARIO ARIZMENDI

Thank you Doctor Lleras. Doctor Marco Palacios has the floor.

MARCO PALACIOS

The question of the Armed Forces came up naturally in the commission, and I would like to make a clarification with regard to what has been said, that it is simply a problem of the definition adopted. Civil society are the organizations which do not belong to the State, (and obviously if there is an organization in addition which is also an example of the organization in organization manuals) in the world, it is an army. Armies are more than anything an organization, but they are of the State. Therefore, in this sense, the Armed Forces a very basic organization in the State, and are therefore not in society. With regard to the other question of human rights, well, the Armed Forces have undoubtedly improved, and it is obvious that it is individuals that commit crimes, and institutions are abstractions and therefore do not commit crimes, and I repeat, it is individuals who are responsible. They are making very great improvements in violations of human rights. The violations curve is flattening, and what we naturally want is that they should go on doing this, and arrive eventually at zero. This is obvious, because Armed Forces which do not violate human rights give much more legitimacy to the State, and that is convenient to all, that is a public asset, and therefore we make emphasis in that because there still are violations and while obviously there is a process of improvements, we have to say so. And these are the Armed Forces which we will support as an organization of the State.

DARIO ARIZMENDI

Thank you professor Palacios for your explanations. Daniel Garcia Peña has the floor.

DANIEL GARCIA PEÑA, DIRECTOR OF PLANETA PAZ



I would like to return to the subject of the so called “civil society” as some people say, and I’m happy that the idea of its complexity was recognized at the beginning. There is not a single civil society: there are different expressions, there is diversity, but I believe that we must emphasize that on many occasions we think that civil society are the “goodies”, we are the victims, and the violent are the “badies” out there, who fell in parachutes from space, without recognizing that armed expressions of a different side are linked, to civil society. Civil society also encourages the war, and I believe that there, both goodies and badies are sometimes at fault. We must review the concept in order to recognize and not to hide differences, and contradictions within civil society. And this has something to do with the commentary of Tico Pinedo on the role of society in negotiations. I believe that it was a good thing yesterday that at the different presentations there was discussion of the fact that in the history of Colombia there has been many occasions, with different models, which have led to negotiations which in faderance with different degrees or scope, and that each process naturally has different components. With the question of arms, there is no doubt that the party which should negotiate is the party which has the arms, that is to say the Army and the State, and the guerrillas. But with regard to the issue which is being discussed, as in the case of the agenda agreed between the Government of President Pastrana, and the FARC, we are talking of nothing more or less of a re-design of the country, and the society which we all wish for, and I think that we cannot deliver that debate either to the Government or to the Guerrillas, to speak for the whole nation. Therefore, we must make distinctions in what we are talking about. We agree with Tico that the right of society to replace the parties at a negotiating table cannot be removed or abrogated. But I believe that Colombia and models of some other countries show when negotiating processes are maintained exclusively on the ground of the armed actors, with no connections communicating them with society, even with efforts to involve society as was the case in Guatemala, where there was a civil society assembly, in which 14 sectors were involved; and even then when the reforms were presented, and the accords were put to referendum, the proposals were rejected by society itself. So I think that beyond the question of whether one sits at negotiating table or not, or one is on the sidelines, or on some commission, or a national convention is called as the ELN one, or public audiences as the FARC one, civil society does have a place in national solutions to be arrived at round the negotiating table, and I therefore believe that the Colombian process should be more innovative, should go further than the Salvadorians and the Guatemalans did, without ignoring the fact that both guerrillas and State naturally have an irreplaceable part to play in regard to the themes of war, which is a matter for them to discuss as the entities in conflict with each other.

DARIO ARIZMENDI

Rodrigo Pardo has the floor.

RODRIGO PARDO

In our group, amongst other things, Dario Arizmendi raised the subject. There was also talk of the problems of the media and the peace process, and we expressed a concern that I had the opportunity to summarize as la portada. I also believe that it is a fundamental point, but it seems that we need to give a qualitative leap in the treatment of the problem. I do not know how many seminars I have attended on the subject in the last two years, since the peace process begun, and conclusions always tend to be the same, first in the sense that something must be done (but it is not very clear what must be done) and two, the issue changes a great deal depending on whom we ask. If we ask civil society, if we ask the media, the Government, each has its own point of view. Therefore I think it is very important to launch new initiatives, I do not know whether Fundación Ideas Para la Paz could be an appropriate instance for this, or the media themselves, but they would have to be addressed to the specification of the issue, to look at experiences in other countries, to take for example a period or a series of events to see how they were covered comparatively by the various media at a given moment, because it seems to me that we have been spending much time in abstract discussions, which simply arrive at no conclusion, and allow the problem to continue.

ENRIQUE GOMEZ

I'd like to make an explanation in principle on the observation made by General Clavijo on the expression regarding the Armed Forces, and I have the following thought. The trouble is that a condition is being imposed which implies a prior acceptance on our part that human rights are being violated by the Armed Forces. Therefore, what I would suggest that we should support the Armed Forces as defenders of human rights, civility and democracy. With these we would bring the two circumstances together, without making any prior acceptance which seems to me to carry a veiled accusation.

With regard to the question of the press, we also arrived to these discussion, and we have had it very many times before. Of course, and I am also a journalist, none of us wants the press censored, but also within the press there is a framework of prudence, civility and patriotism, and these three concepts have disappeared with the syndrome of the sacrificial lamb, and we talked of yesterday's case or perhaps it was the day before, in which the attack on Dagua was attended by journalists, that is as if they were told in advance that a crime was going to be committed, in which many Colombians died; but it was filmed, and indeed was broadcast by Telepacífico yesterday. This is a real monstrosity, and is clearly included in the conspiracy to commit crime, and is not the first occasion. There have been many occasions that an attack is mounted when it is known that there is television around, and thus we are completely distorting the press service. This is not a public service but a service to crime. Marco Palacios referred to the fact that in Britain, I do not know whether Britain would be a democracy or has a free press, but it is absolutely prohibited there to

interview criminals, and when they are interviewed their faces are blurred out, and their faces are changed, because this type of popularity and dissemination of crime only helps to promote crime. I'm also in agreement with Enrique Santos when we discussed these matter, because it is a very serious issue. The capacity for dissolution which the media had when the conditions of prudence, patriotism and civility are present, can be sometimes stronger than the guerrillas themselves.

Finally, I wish I get to propose again the issue which I mentioned a moment ago, that if at a meeting such as these, whatever the representatives which we may have here, we have clearly received a notice that in the peace conversations to be established in the future, at which authorizations may be given from someone who may or may not be a candidate for the presidency, and we say nothing, it seems we have totally lost two days of conversations we have had here with such goodwill.

DARIO ARIZMENDI

In this regard, and in relation to what Enrique Gomez says, I will ask whether we should open a debate on what he has reported, or we simply continue with the rest of the reports.

HERNANDO CORRAL, POLITICAL EDITOR OF EL TIEMPO

I would like to give a short comment on the case of the media. I think this is not a problem to discuss the role of the media, in Colombia the directors of the media are very responsible in the management of information. One can make exceptions, but it is not a general case and there is no clear policy for the management of the media or of the media directors as to how to handle the problem of war and peace. It is another thing entirely to inform about the situation of non-negotiation, of confrontation and war, and from when there is a peace process. But there are no rules of the game for one or another situation. There should be some rules of the game which should be self-conceived, and self-regulated by the media. But that does not exist due to the competition which there is in the media, and due to the syndrome of the sacrificial lamb. I would go further, and I would say that due to the lack of democratic formation of many directors and the majority of us journalist, that we lack a solid sense of responsibility in the role which we play, and more so in a country in conflict such as Colombia. I believe that we must now look for a mechanism so that finally the journalists are the immediate victims of that irresponsibility. I do not want to apologize for this case, because I do not know what the situation of this journalist was, but it once happened to me that they invited me to an event of the M-19, and the M-19 guerrilla told me that they had news of peace, and I went with another journalist Pilar Lozano. We went to cover the event with television cameras in the Sabana, and it was an attack on a train. They never said that there was an attack on a train, but that they had information about peace. Therefore, we would have to look at the circumstances, because we journalists are much under pressures from our directors,

who want sacrificial lambs and news, and they criticize the poor journalist because he was “fooled”. I believe that there should be much more discussion of the problem of the media. I have a proposal to create a group of personalities to act as consultants or advisors in good offices, because in this country there is no industry organization, no industry body for journalists, and no ethical committees or anything like that. I believe that this is more necessary in situations of violence, in these situations that we are exposed not only to threats, but also to losing our lives on one side or other, because they do not weigh the information, because they judge us if we go to a guerrilla zone to cover a peace process as friends of the guerrilla, or whether we go to interview Castaño as paramilitaries. Then we are in a very difficult situation, and I think this is a moment to create bodies to protect not only the lives of journalists, but the life of Colombian journalism.

GENERAL HENRY MEDINA, DIRECTOR OF THE OFFICERS TRAINERS SCHOOL

I would like to ratify something said here at the table, because I think it is important to understand whether the Armed Forces are part of society or not. In most countries of the world they are, and indeed things have gone to another extreme, such as in Spain, where in order to send a message the preamble says: the Armed Forces and the rest of the society. I think that the non-understanding or the non-participation in the idea that the Armed Forces are part of that society is what leads to indifference in a conflict such as ours, although the conflict is between the Armed Forces and organizations beyond the pale of the law, and a society which is completely indifferent and apathetic, and thinks that its only role is to pay taxes. As they pay taxes, and some of those taxes are spent on the conflict, this clears their conscience. But I think that this remains a very important point in discussion, since it is intimately related with the reason for the intensification and the dimensioning of the conflict.

On the point on information, I believe that the right of the press to inform is inalienable, and that obviously the press and the media have principles and ethics. The question is whether the day before yesterday when there was an armed group advancing on a hill, and a situation in which conditions are hostile and difficult, at 3 in the morning to attack a military post, and they find out some hours in advance, what does that ethic have to say?

Should they, as they have a right to a sacrificial lamb, keep silence, or should they report the matter to the authorities who should protect the lives of more than 80 people who were in that place, for example?

ALEJANDRO SANTOS

I agree with the general proposal made by Hernando Corral, but I think that one of the ways of achieving this strengthening of the media is through a good industry association, which means precisely that media directors and journalists should

communicate with each other, share experiences, and have better criteria when imparting their information. I'm sure that each of the media has absolutely incredible stories of how it has had to face extraordinary and interesting situations, from which we will learn. We should also share international experiences. The case of how the Salvadorian press covered the conflict, and what its errors were, the case of the press in Northern Ireland. More than ever, we need this type of reference point to face situations which we do not expect to face, and to know what to do, and how to get there. Because to talk about the rules of the game is very difficult, and forums and seminars may not be translated into specific actions and plans of action, but it may perhaps allow us to understand the problem, understand ourselves, and I therefore adhere to the proposal that at the end of the year we should organize a forum, hopefully with international experiences on the media.

FERNANDO CEPEDA

To ask to make a mention of what we may call the international civil society. Here is Michael Shifter, who is Vice-president of the Interamerican Dialogue; here we have Daniel Pecaut, who was one of the French and European intellectuals who made the call; we have Marck Chernik of the University of Georgetown, there is Hans Blumenthal of Socialist International, and so on. So I think that it is worthwhile, since they are acting and playing an important role.

HANS BLUMENTHAL, DIRECTOR OF FESCOL

It is the honor of being from Socialist International which leads me to say something. No, only as a contribution to the etymology of the word civil society. The word was born in a circle around Antonio Gramsci, and the idea was that the notion of civil society was meant to describe another society than that which was subordinated by Fachism and Stalinism. That is where the expression comes from. But a second point, I believe that there has been previous discussions of the need for civil society to participate in the peace process. That is obvious. And from another point of view, during much of the two years of the process, it was a requirement that the peace process should not only be a project of the Government but of the State, and later, and much more strongly perhaps, there would be the project of a Nation. If it is a project of a nation, we must necessarily negotiate it with civil society. It is not sufficient to have a single front, but there must be negotiations with civil society. But for this, civil society must be responsible. Civil society cannot be the victim of its own Messianic source, and believe that it is only good conscience which can demand all its fantasies, but which becomes totally unrealizable as civil society partly does in Colombia. For example, it seemed to me to be an act of extreme irresponsibility, that fantastic event and great event in Costa Rica, where civil society was practically able to unite in a single common denominator, which was "down with Plan Colombia". And further, a Plan Colombia which as we discussed in our group, hardly anyone had understood, and it was thought Plan Colombia was simply military aid from the United States.

Thus, civil society does not contribute to a common project of nation or society, which logically has much more force supporting the Government, negotiating with the Government, and it gives a feeling and strength of unity which can convince the other side, the FARC and the other insurgents that it must accept something. Let us to say, I think it is necessary that civil society and the organization for which I work is part of civil society in Colombia, should be more responsible, and should demand actions which are viable and not acts of god, and in this sense we would form a common project with the state of the Government, which would have more strength to convince the other side, and achieve peace.

DARIO ARIZMENDI

Hernando Corral has the floor, to inform us about the questions answered in his group.

THE GUERRILLA'S PROPOSALS  
AND THEIR VIABILITY: CEASE FIRE  
AND CESSATION OF HOSTILITIES

HERNANDO CORRAL  
*Political Editor of El Tiempo*

This group contained Carlos A. Angel, a senator, Celso Martinez of Asocipaz, Ana Mercedes Gomez of El Colombiano, Sabas Pretelt de la Vega of Fenalco, Jose Miguel Narvaez of Fedegan, Mauricio Garcia, who works in the Middle Magdalena, and myself.

We arrived at a very easy conclusion on the subject of the viability of the guerrilla's proposals, and that is that there are no guerrilla's proposals, and no proposals of the state at the negotiating table. A look at the common agenda agreed between the FARC and the Government in Machaca shows that there are twelve very general themes on the table, which cannot become matter for discussion in this seminar, in the sense of examining how viable each of the proposals might be. One conclusion is that there are no proposals, and therefore we overcame that part, and we concentrated on the subject of the cease fire and the cessation of hostilities. At all events, we remembered Chucho Bejarano a little in this group; how Jesus Antonio worked so hard on the matter of the FARC proposals at different times in negotiations. He made some very general comments on the possibility or viability of many of those proposals, some very questionable, but in general, Chucho said that they are proposals which can be negotiated. That is to say, what was discussed in Tlaxcala and in Caracas, but today we really do not know what is what the FARC are proposing, because there are no peace talks. There have been dialogues, but we hope that in this stage some real negotiations may start.

With regard to the subject of the cease fire and cessation of hostilities, we see that this is a difficult subject for us to approach and make recommendations, since there are some very important premises which the State must define. If the State at this moment prepared to stop the Colombian Army, to say there is no Plan Colombia, that military activities will cease? We think not, we think that the Colombian State is not at the moment in a position to do so and it would not be accepted by the Government of the United States if the military project of Plan Colombia was suspended, now that the Colombian Army is in a state of transformation and military modernization, and this would be an attack on the process of strengthening of the Armed Forces. Also, since we agreed that the FARC would also not be sincerely disposed to start a cease-fire and cessation of hostilities, because the only weapon they have at this moment is military action. We do not know whether they would be prepared for a cease fire or a cessation of hostilities. Further, in this group, we believe that the immediate problem with the guerrillas and with all sectors who use violence, and all the armed sectors, is the application of International Humanitarian Law which regulates civil society, Colombians in general, and we should demand that all armed sectors observe the

International Humanitarian Law. We see difficulties in this. The FARC have a different position; Alfonso Cano has said in the interview that they have no reason to observe International Humanitarian Law because they have not signed, they were not invited to sign the Geneva Agreements or the protocols, and that would be quite a long discussion since there is the problem of kidnapping, and financing by drug traffickers. We really believe that the issues given to us were easily disposed off, due to lack of substantive grounds. Because on the first issue, there is nothing to discuss, there are no proposals; and on the second, we believe that this is a matter for the State which requires much more thoughtful discussion, and we do not understand how at a seminar we could make recommendations to the State about a cease fire and cessation of hostilities.

Interests, military strategy on one side and the other, the negotiations themselves, imply very complex discussions. Therefore, we concluded that the cease fire is not a viable proposal for either party, for the arguments given. We agreed on the need to save the Colombian Government that with these scheme of negotiations that no progress will be made. That negotiations need to be restructured. That we need a policy and a solid strategy for peace, and we recommend the Government or the presidential candidates or the persons who were present, that they deploy a solid policy for peace negotiations to the country. At this table, there was the skepticism which there is in this country regarding the process, and we agreed that there is no confidence that the peace process will bear any fruit in the remaining time left to this administration, or that negotiations can be started. Also, that in the case of the FARC, it can be seen that what they want is to prolong the process a little, and wait for a new administration; and at all events, there was the consideration that we agree that all this criticism do not imply that we are against the peace process. We do support a negotiated solution, and hope that the solution will be a political one. However, we noted that this negotiated solution, and its defense, cannot go on forever and ever, and it depends on the situation, the viability, the will for peace, and the negotiations between sectors in conflict. On the matter of International Humanitarian Law, we asked that this seminar recommend to the International Red Cross Committee that it again plays its role, and that we demand that the guerrillas and the paramilitaries or self-defense forces, however we would like to call them, and the Colombian state should observe International Humanitarian Law. I believe that my colleagues in the group have some notes which I would like them to share with us.

SABAS PRETELT DE LA VEGA, PRESIDENT OF FENALCO

Hernando is right. We would like to make some short comments on what he has said. First, we say that political negotiation is necessary, provided that it is viable. This is important to clarify. Second, that the presentations made by the guerrillas in the past have been constantly changed, and therefore at this time what is needed is that they make specific proposals so that there may be an answer as to their viability. At this moment, they are not doing so. The Colombian State is doing so and so is society.



In the matter of a cease fire, we simply believe that it is not convenient to make a proposal for that, since this would do major damage to the peace process, and obviously the guerrilla fronts would advance even further, and the war would go forward. We believe that it is convenient to work and work intensively on the matter of the cessation of hostilities. We believe that negotiations should be subject to conditions on this matter, specifically with regard to kidnaps and to the violation of human rights, which are so common among the organizations acting outside the pale of the law.

I would also like to make some comments on earlier positions. It seems that the discussion about civil society is a little sterile. Civil is something which does not belong to the military. Military are those who are subject to rank, orders, uniforms, etc., therefore it is obvious that the Colombian Army does not belong to civil society. Yes it belongs to Colombian society. That it obvious, because on some occasions the guerrilla has said that it is part of civil society. It is obvious that the guerrillas do not belong to civil society, since they are militias. So this is a simple way of identifying the persons and organizations in society who express themselves. But as somebody said, this must be done with great responsibility. I take advantage of this occasion to advertise a move in that direction. The industry association never (but we always have the intention) have got together to negotiate. Second, we have never met with the guerrillas, or any other organization acting beyond the pale of the law, without the prior authorization of the Government. I don't know whether other representatives or other portions of civil society do the same, but it is important that any representation which is made on behalf of civil society be made when in the case of conversations regarding the peace process, with the prior authorization of the Government, if we want to avoid total confusion, as Professor Palacios said yesterday.

Finally, I would like to say Dario that it seems to me that there should be effective conclusions from this meeting. Many of us have taken part in innumerable forums and seminars, and we enrich ourselves spiritually and professionally, but we do not provide results which will help to provide a direction to the peace process. I would suggest that those who have invited us here, to whom we express our thanks, inform the President at a special meeting, of our conclusions, since amongst other things many of them have to do with a rectification of the peace process. This is another of the conclusions which came out of our group, that the style of the negotiations should be changed, and at possible conditions should be put with regard to respect for human rights, and obviously a cessation of kidnap.

Finally, with regard to what Enrique Gomez said, I would say that this forum should make pronouncements on two or three things. The first is a request that the peace process continue with the ELN and the FARC. Second, that the FARC accelerates specific results, and that we reject any affirmation of placing conditions on those who may or may not participate in electoral campaigns.

JOSE MIGUEL NARVAEZ, REPRESENTATIVE OF FEDEGAN

We find that one of the members of Congress has reached an important conclusion, and that was the formation of a platform of the State to deal with the process of peace not from here backwards but from here forwards. We also perhaps have arrived at a constructive analysis and an accurate one, of some inconsistencies which we found in the platform of the present Government, in which some officials who take part on this event were diametrically opposed. The speech of the Peace Commissioner was some distance away from the discourse of the Ministry of Defense, and the Director or Interim Director of Plan Colombia. On this cessation of hostilities, we spoke about specific points. One of them was to demand, and I think that this was condensed in the document which our rapporteur has, the respect for the power infrastructure of the country, since definitely, those most affected were, to take again the expression used by Doctor Sabas, civil society. Second, respect for the means of subsistence. It is difficult, and as we commented in our group, to talk directly about the application of International Humanitarian Law, because this causes an uproar at the negotiating tables, but we could touch on some points, for example Protocol II, which relates to the protection of the means of subsistence. As FEDEGAN has had to recall the terrible event of a month and a half ago, when more than 100 head of cattle were blown up here in Sucre, this being a flagrant violation of Protocol II with regard to the means of subsistence for feeding non-combatants. Also, as our rapporteur said, the respect for the health infrastructure, and the respectful request to the International Red Cross Committee, and the Colombian Red Cross to return to their leading role, so favorable to the attention to the wounded in conflict. The no-kidnaps which Doctor Sabas referred to, and something very important which we noted, was the non-development of the common agenda of La Machaca, which we brought into the argument because it was among the documents which they gave us at the beginning of the seminar, because they thought that for example the public audiences had addressed a very important subject which cannot depend on peace, which is that of employment, given that it is a macroeconomic variable, which is not going to be solved in the short term. We also remember the work which was done by the industry council, which was presented at the request of the Government in El Caguan, and we advanced what El Tiempo two weeks ago, in reminding us that to minimize 19.8% unemployment recorded by DANE and reduce it to 15.7% required the country to grow by approximately 5.8% a year. We had already said this two years ago, as part of the production sector, and the employment sector, and therefore we could not overextend the conversations simply going round and round an analysis of employment. At the same time, we recall that two days ago, in the presence of countries which wish to help, Alfonso Cano brought up another and more lengthy issue, which is external debt. So, there arose the 12 point common agenda, and we have very much hoped that it can be completed.

MARCO PALACIOS

Well, I believe that anyone who studies peace processes will find it strange that there are no offers from the guerrilla side or from the Government. I think it is most extraordinary, and this probably reflects why peace processes do not advance, because at the end of the day no one makes an offer. I believe that what the country is expecting is that offers for peace are made. At the end of the day, what is going to be negotiated? So on the hypothesis which the group proposes, as I understood from what Hernando said, it seems to me that the next Government or the candidates or somebody should receive frank recommendations that the process should change its methods, and begin with the most elementary part of any negotiation which is to say: this is my offer: what is yours and let start to talk.

## THE PHENOMENON OF THE PARAMILITARIES

LEON VALENCIA

*Political Analyst*

This group contained Hector Pineda, Carlos Lleras de la Fuente, Michael Schiffer, Araceli Santana of the UN, Antonio Navarro Wolf and Enrique Santos.

We worked on the following questions: The role of the paramilitaries in the war in Colombia. The relations or confrontations with the State, drug traffickers, and business sectors. A third question, on the relevance of the political status of the paramilitaries.

And the fourth question, the treatment which should be given within the peace process, as a special aspect, what channels of communication are established at present with this armed force.

In fact, we made a tour of the history of the self-defense or paramilitary forces in Colombia, with first hand information of good quality, in a fairly polemic environment, but very fraternal in the historical part, and of all the story of the various characteristics of this armed force, and of these armed forces also present in Colombia, but we are not going to through all these in our conclusions, we are simply going to establish what was agreed, common ideas, with all the difficulties of writing them down, and I believe that the rest would be good for a leading article in the Espectador, as its director said.

So, the conclusions are as follows: We understand this phenomenon as an armed force in expansion with political connotations, immerse in a degraded war which particularly affects the civil population, and begins also to confront the guerrillas. It has played a dominant part in the de-institutionalization of the country. Nonetheless, it is not a phenomenon which is homogeneous, and it acquires diverse characteristics from one region to another. That is the first conclusion.

The second has many relations with sectors of the Colombian society and the State. It is expressed as para-institutional violence, in relations with the State, and in the Forces of Law and Order there are three attitudes which can be identified. A minority sector, which rejects and combats this force, another minority sector which accepts them and justifies them in some way, and a majority which takes a passive attitude. It receives economic support from business, which comes to this force as its principle source of security. It has its chief economic source resources in drug trafficking, according to Castaño himself. It has established links with politicians of national standing, and at local level, has an undebatable political power. It begins to play a role in social mobilization in many part of Northern Colombia. In its military dimensions, it supports and controls certain areas, which contain bands of common criminals.

Third conclusion: Construction of democratic public order passes through a break of any link with the Forces of Law and Order, with the modernization and strengthening of Armed Forces which respect human rights, and the State of Law, with the mobilization of those Forces of Law and Order against all illegal armed agents, for the restoration of the monopoly of the use of arms by the State.

Fourth, the paramilitaries and self-defense forces cannot be ignored in the course of the war, and the peace which Colombia has today, and there must be channels of communication other than the media and the press. The commission considers that these communication channels should now be non-State, and approves the recent decision by the church to start contact with them. These were our conclusions.

DARIO ARIZMENDI

Thank you Leon. Any comments?

ALBERTO MORALES

I think that on this occasion I do agree with Enrique Gomez in the matter of the pronouncement by Tirofijo regarding the candidature of Doctor Alvaro Uribe. I agree with Alvaro Uribe when he says that no government can expressly unite itself, expressly or tacitly, with any actor in the conflict. I believe that this could bring more violence to the country. What I had never thought is a good idea, is that the President says to the FARC is that he is going to pursue or finish with the self-defense groups. This is just as serious as going to Castaño, and telling him that the Government was going to pursue or deal with the guerrillas. I think that this issue of the self defense groups has been dealt with in a two-faced manner. When President Pastrana said that the country demands that he and Tirofijo be sincere in the process, President Pastrana is not being sincere with the country in that sense. I would like to place this on record that I cannot imagine a peace process without the participation of the self defense groups. I think that the peace process cannot be made piecemeal, and that if the President wants full peace, reconciliation between all Colombians must necessarily call on the self defense groups at the appropriate time.

HENRY MEDINA

I simply want to say that I do not share the percentage distribution which is used to qualify the position of the Armed Forces in relation to the paramilitaries. I am fully aware of the position of the senior Army officers, but since I am the fourth most senior officer in the Army, and as director of the Officers Training School, officers who passed out this year and last preparing to be captains, coronels, admirals and commanders, that is, about 50% of the strategic leadership and operating leadership of the Armed Forces, allow me to say that this distribution is different. I would say that there is a very small minority which supports the paramilitaries, a minority which is

indifferent, and there is the appreciation which I do not share, because I believe that a great majority reject paramilitarism, which is exactly the position of the institution as a whole.

As a member of this group, I also do not agree with the position of our rapporteur, because this was not an agreement which would have been made at the table, it is simply some statistics from Antonio Navarro, and I asked Doctor Navarro, speaking of the phenomenon of the illegal self-defense forces, how can a phenomenon which is so dangerous and common in another country, and since he has had some statistics to judge the Armed Forces, what were the statistics of that acceptance in Congress, and he told me it was more than 80%. That university professors and students, and we concluded that their acceptance level was higher, agreed as to about 90%, and this was a national phenomenon but, in a very interesting manner, because there are private interests with the business of the handling of the self-defense groups, which I always compare with those of the military, that is to say the Forces of Law and Order, but this was not a decision of the table, with regard to statistics.

DARIO ARIZMENDI

To Conclude with the round of the generals, comments from General Clavijo please.

ADOLFO CLAVIJO, GENERAL (RETIRED)

Logically, I take the same line as my two predecessors. What I would like to say here, is that it is very dangerous for us to play the percentages, since at the end of the day they will say that the Forces of Law and Order are on the side of the paramilitaries. If we add those who said, that there was a small minority who do collaborate, and that others are indifferent, we would have to say that the two add up, and that those who really reject the paramilitaries are very few, and this is not the case. It is the great majority, and those who are involved, specially circumstantially in operations for something of the kind, and sometimes through deceit. But that is not and institutional policy. And this has a very serious consequence. This is the key peace in desinformation. By saying that the Forces of Law and Order are on the side of the paramilitaries, we are polarizing the country, and giving the paramilitaries strength, and admitting that the guerrillas are right.

ANTONIO NAVARRO

Just a motion of my personal privilege. I proposed this distribution for discussion, but as no one disputed it, the rapporteur picked it up, and I therefore withdraw it.

HECTOR PINEDA

A couple of things or more which the rapporteur did not pick up. First, the discussion made a distinction between the issue of the private vigilante groups which are legally recognized, and what has been called the phenomenon of the self-defense or paramilitary groups. Second, an attempt was made in a sort of tour of origin and nature, and the conclusion was that this was a multiple phenomenon, and a diverse one, and that today they have pretensions to synthesize this gaggle of self-defense groups, but that is not true, and their expressions are diverse.

The other point which we forgot contained two issues. The issue of the treatment of the self-defense groups in the framework of the negotiating table, and there we forgot that in the last meeting between the Government and the FARC it was agreed to create a commission of distinguished personages to study the subject, and to propose solutions to deactivate the problem. And on the other hand, we also did not conclude treatment of the issue of the self-defense groups in relation to the international community, and matters related to a recent expression by Carlos Castaño that he was evaluating -and evaluating positively- the creation of an international commission to accompany negotiations with the FARC, but that equally he did not share the idea of the presence of Venezuela and Cuba in that commission, and that he declared them military objectives. And finally, I believe the appreciation that President Pastrana is being two-faced with the country with regard to the question of the self-defense groups and paramilitaries, and that in some way what he is doing is giving up or going down on his knees to the claims made by the FARC on the subject, this is not entirely true. And it is not entirely true because even before becoming President of the Republic, Andres Pastrana in a document called *Guidelines for a Comprehensive Peace Policy*, established as an offer for the country what his treatment would in government be of the paramilitaries. What I believe is that the President, so far, has been consistent in what he said he would do during his administration, with regard to the question of the self-defense groups. I do not see why the country, for example, every time a president take a decision to remove undesirable individuals from the armed forces or from the State for connections with the paramilitaries, the first thing the country says is the President is handing over the generals' heads to Tirofijo. I believe what the President is doing, is complying first with the constitutional mandate, and second, with the proposal for peace which he made to the country and which was overwhelmingly supported by the Colombians. So I believe that that is excessive, and I do not share the view that he is being two-faced. I believe that he has been consistent and continuous to be consistent with the issue of how he was going to work in his government. And third, to say that the commission, in the face of what we did call ways of solving the problem, reached no agreement, and we said that it was necessary to discuss things beyond the stage of diagnosis and appreciation, to discuss solutions to the phenomenon, and in the face of this, there were some proposals which I believe will look for another opportunity to discuss them.

ANA TERESA BERNAL

I would like to express the concern which I have in regard to this matter, but which comes from the previous point, and that is that for long, society has been calling for an end to the war, for an end to violence, that there be respect for civil population, but today I am concerned that the commission which dealt with the subject of the cease fire considers it inconvenient to continue to demand it, when the issue is already on the negotiating table. For so long we have asked for a cease fire, respect for the civilians, compliance with International Humanitarian Law, and now we refuse to do so. I think that at stand point from the logic of the confrontation on the war there are many difficulties in the matter of the cease fire, society has no reason to stop asking for something which is convenient to it, and that is that the war come to an end. And in that sense, I wish to say that I think that the negotiating model in the midst of war which was necessary in order to start up relations, and to establish some points of agreement and some levels of competence is being exhausted. Therefore, only a short time ago, we have been witnesses to situations of very strong tensions and possible break downs in the process. Therefore, for this reason, I consider it even more logical and reasonable that society should continue to ask for results with regard to the cease fire and cessation of hostilities. And this has to do with the issue of the self-defense groups. If the conflict continues to intensify in Colombia, as has happened, then certainly the self-defense groups as we have seen, have extended and multiplied, such that one form of stopping the expansion of these groups is to achieve specific results in the field of dialogue and negotiation.

HECTOR PINEDA

Since they summarized the conclusions which I read, our spirit is not to oppose the possibility of a cease fire. On the contrary, in other words, I believe we all want combat to cease, and actions to end. But the thing is that the conclusion is that the conditions are not present either on the guerrillas side, that is to say, that guerrillas at this time need military activity to continue to exert pressure; and the Colombian State has a series of premises which will also not allow it. This is a conclusion which we reached, but that is not what we want. It would be good if tomorrow the cease fire cessation of hostilities were achieved. But there are many difficulties. If one looks to what has happened to cease fires in Colombia, the experience of President Betancour leaves a bitter taste in the mouth.

There are two proposals which are being discussed at the table. Last week, the proposals of the Government and the proposals of the FARC. We know from Camilo Gomez that much time will pass before we really know what these proposals are, but we know the difficulties are very great, and that it is possible, except in some unilateral act on the part of the FARC, that the Government will not achieve a cease fire which is satisfactory to everyone. That is to say, it may not create all the uncertainty with what has gone before, that the FARC were taking advantage of the cease fire to grow, to create more fronts, and this makes discussion very complex,



and that was the sense of what we discussed. We did not say that we opposed a cease fire, but we tried to be practical and logical.

LEON VALENCIA

I believe the important thing in this and in particularly on this issue, is to draw out some points of consensus, and there there are differing opinions. The percentages were withdrawn, but we maintained all the other conclusions as consensual conclusions in this commission, because that is the important thing here. Precisely, and on the same subject, I would say to the other commission, how to set up the two points of view. In other words, some of us believe that the immediate objective for which we should fight as hard as we can, is the cease fire and the cessation of hostilities. Some of us believe that, which is the objective of the State in the immediate future, because this would place negotiations at a point of no return, and in a situation different from that which prevails now.

ALMIRANT BARRERA

I would like to add a part of what the generals who preceded me said, along with some of the others who have contributed to this discussion. Following a little the pragmatism of Doctor Lleras, to say that things in this sense of the relationship between the Forces of Law and Order and the illegal self-defense groups, we must call them by their name, and a criminal is a criminal, with or without a uniform. When I listened to the point about the percentages, I was shocked, because I then wandered "where am I in that percentage?" Throughout my 33-year career, I have never heard any colleague of mine who has supported, from any point of view, the efforts of what are today called paramilitaries or illegal self-defense groups. And I can say that with mouth full, because I am proud of being in the Armed Forces. And not only that, but because I have also heard, specially in the last part of my career, how my colleagues in other forces such as the Army and the Police and the Air Force see the illegal self defense groups as the enemy of society. So, I would like to invite certain people here to come a little closer to the Army, to the Forces of Law and Order, including the Police. Perhaps we have kept ourselves very quite, like a very inclosed, like a ghetto, and this has prevented society from knowing us properly. I would like to invite you to come closer to us, and I, who amongst other things have the *raison d'être* of the post which I currently hold, will try to come closer to you, and ask you to allow me to do so.

DARIO ARIZMENDI

Three final small comments from Celso Martinez, Daniel Garcia Peña and Alvaro Camacho.

CELSE MARTINEZ

Referring to what Maria Teresa Bernal said about the cease fire, it is not that we have not considered the possibility of a cease fire. In the discussions, what we did was to study the inconveniences, the pros and cons which there would be in agreeing a cease fire in the current conditions of the country. Because this is not to agree on a cease fire with the FARC or with the ELN. Who agrees on the cease fire with common crime, the drug traffickers, and organized crime? We in our country have many factors which generate violence and which do not allow any agreement for a bilateral cease fire. We could not even concentrate a sort of short term truce, because the phenomenon of drug trafficking would then get out of hands. Drug trafficking is a phenomenon totally different from the FARC - it is another thing that the two are related – but their structure is totally different from the FARC, and that of the self defense groups.

With regard to the self defense groups, I think it is necessary that after 40 years of war we should be sincere with ourselves. The phenomenon of the guerrilla grew due to our tolerance as a civil society. But the self defense groups have grown, are growing, and will continue to grow in the first place due to the surrender of the State in compliance with its functions, because in relation to other previous years, we engaged in judging, and misinforming the legitimately constituted power of the State, and we have been giving away an opportunity in which these armed groups acting beyond the pale of the law could be born, groups which are more murderers than the guerrillas and the drug traffickers, or common crime and the organized crime in this country. I believe that the subject of the self defense groups has to be treated with great thoroughness and substantial care. We cannot here take out percentages of the members of the Armed Forces which sympathize with the self-defense groups. One thing is the analysis of the phenomenon of the self-defense groups from sitting at one's desk, and another is the analysis on the ground, and in the operational areas. The self defense groups in the operational areas operate in the same way as the guerrillas. Except that there is a difference. The guerrillas attack the Police, the Army and military basis and the self defense groups do the contrary. If we do not tell the truth here, we cannot solve the problem. The only thing the self-defense groups do is not attack police posts and military basis. Therefore, those of us who are not in the area of the self defense groups immediately, accuse the Forces of Law and Order of collaboration with them. That is not true, because I live in an area where the self defense groups have influence, and control 70% of Southern Bolivar, and they control it in this way. However, I cannot see the relationship between the self defense groups and the Armed Forces. Do not let us continue to fall into the era of de-legitimizing the little which remains in this country, since we are playing at disinformation, which for many years have been managed for the guerrillas, and which has brought us to the state in which we now are.

ALVARO CAMACHO

Just a question for the commission members. I wonder if you examined the perspectives of the conversion of the self-defense groups into a disarmed civil political force.

CELSO MARTINEZ

Yes, the example of El Salvador derives of the Arena Movement in the context of the conversion of paramilitaries into political parties was examined. Here also, attempts have been made on the basis of paramilitary expressions, to construct political parties. Morena was an initial expression of that, and it can be seen as a road which is not only possible, but necessary for a peace process.

DANIEL GARCIA PEÑA

I would like to make the following clear. The subject was discussed, but there was no agreement on the appreciation of the matter. Some considered that eventually the paramilitaries might become a political party, and others of us said that the first thing to do is to deactivate their arms, and then see what can be done.

CELSO MARTINEZ

That is logical. The conversion into a political party is a transformation of an armed agent into something else.

DANIEL GARCIA PEÑA

I don't want to come back to the point about the percentages, and I believe that Celso description has proved the complexity of the matter of paramilitarism. But I want to recall something which General Medina said, and that is that he discussed the percentages, but not the fact that there were three attitudes. I believe that this is a reflection of a new attitude in the Armed Forces. What must be examined is not so much the percentages but that it must be recognized that there is a process of change which is incomplete, in the Armed Forces. I would say that in the high command today, we have undoubted commitment to understanding that paramilitarism is not a friend of the Armed Forces, but the enemy, and that they also have the courage to admit that there is a percentage, however small or large it may be, but that the problem continues to exist. I think that that, rather than defending an armed institution which claims that the point should not be discussed, and I think we should praise the attitudes of the Armed Forces in opening the debate. Also, these are not empty complaints.

The recent judgment passed on General Uzcategui, the news that we have of the attempt on the life of Wilson Borja in December, show that the problem continues to be very serious, and I therefore think that we should not polarize it against one of the

armed forces, but also that we should not defend the esprit de corps to the last ditch, and I believe that the attitude we have seen in Generals Medina and Clavijo is that they recognize that there is a problem, that there is a process in train, but in the last resort, the discourse of the Armed Forces is not sufficient.

Since 1989 the self-defense groups were declared to be illegal, and the official discourse of all governments has been that these groups are to be combated. The events so far have not shown that this has been done. President Pastrana has done more than any other president against the paramilitaries, yes that is true. But in the face of the magnitude of the paramilitarism in Colombia, we must say that this government has fallen far short of what it should have done, and we therefore invite all to leave polarization aside, and look at the process, as suggested by Celso, in all its complexity, with the good, the bad and the ugly.

OTTI PATIÑO

Two suggestions. One, on the question of the cease fire, because undoubtedly as written, it seems as if this commission and this meeting declared themselves impotent in the face of the problem of the war. On other occasions, there have even been unilateral cease fires, and suspension of offensive action, that is to say, there are a series of measures which are not simply the total silencing of the guns, and which have undoubtedly contributed to the creation of a climate favorable for the development of a peace process. So, any attitude which suggests a down-scaling of the war, and a halt to barbarism, would I think be welcome, and supported and encouraged by this meeting. And the other point which I think is also worth suggesting, on the creation of what was talked off in the other commission, of the academic commission to study drug trafficking, is simply to put in execution something which was approved in the accords with the M-19, but never developed. Precisely, that commission. So, after 11 years, let an agreement made with the Colombian State at that time now be implemented.

## PEACE PROCESS. MORE QUESTIONS THAN ANSWERS

RAFAEL NIETO LOAIZA

*Political Analyst*

This rapporteur's report will not be in the conventional form, or in notarial style, claiming to reflect almost word for word what was said. If that is what was wanted, it would be better to wait for the United States Embassy to publish, together with *El Tiempo*, *El Espectador*, *Semana*, *RCN* and *Caracol*, and the sponsoring media, the proceedings of this meeting. So I am going to present a report which may be more useful for all. For this, I will seek to draw out the points which did not remain clear, I will highlight doubts, I will repeat some of the questions which were not answered, and I will insist on issues which can be and are controversial.

### *THE PROBLEM OF THE NATURE OF THE ARMED CONFLICT*

I believe that the first major point of difference between the members of the commission is in the definition of the nature of the conflict, and therefore, in the definition of the nature of negotiations. There are two main types of position, as to what the Colombian conflict is, and a third and isolated one proposed by Joaquin Villalobos who was the military commander of the Salvadorian guerrillas, and whose position was not sufficiently discussed. The first position says that the conflict is of a social and political nature. That is the position of the Government, as can be inferred from the words of Camilo Gomez, and it is also the position of the FARC. On that thesis, peace can only be achieved in tandem with a set of social and economic reforms which will alter the "structural causes" of the conflict. That is to say, that peace would consist in an exchange of guns and bullets for structural, social and economic reforms. The obligations arising from peace agreements would be basically the responsibility of the State, responsible for undertaking these tasks. In exchange for these reforms, the insertion groups would simply demobilize. This thesis supposes that by definition there would be armed confrontation until profound social and economic transformations take place. These changes would be the precondition for peace, and would have to be produced before the end of the conflict. While the substantive elements of the conflict are social and economic, and military matters are subsidiary and not decisive for the solution of the conflict, and therefore from the point of view of the State, the strengthening of the institutions and the administration of justice and security, is not only innocuous in achieving peace, but eventually may be counter-productive.

The second position defines the conflict as political and military. This is the position of Antonio Navarro and the M-19 and Rafael Pardo. In this case, what is exchanged are guns and bullets for votes. The insurgents demobilized, in exchange for electoral

reform, and a favorable political treatment. This thesis supposes that there would be armed conflict until the correlation of forces is unfavorable to the insurgents, and they are obliged to negotiate. In exchange for demobilization, the State offers favorable conditions for the transformation of guerrilla groups into political movements, and for their political activity. According to this position, peace would be prior to the materialization of structural social and economic changes. Further, the cessation of conflict would be the condition for those changes to be produced, and not the other way round. On this hypothesis, the military considerations are decisive in changing the correlation of forces, and obliging the insurgents to cease their armed struggle. According to the interpretation of this made by Minister Luis Fernando Ramirez, the military aspect is not necessarily sufficient, and it requires a comprehensive response from the State to accompany the efforts made from the justice and security systems.

There was a third hypothesis, proposed by Joaquin Villalobos, according to which the Colombian conflict is not, or would be on the way to cease to be, a social and political conflict or a political and military conflict, to be translated into a confrontation whose essential nature would be centered on the intimate relationship with drug trafficking. Our conflict would simply be a conflict of drug trafficking. Nobody discussed the hypothesis of Villalobos. Perhaps, those present were convinced that effectively what was wanted to solve the conflict is an extension of political opportunities and the generation of political and electoral conditions favorable to the insurgent movements, and that on that basis peace will be possible, or from the other point of view, that major structural reforms would be needed in society, in order to make peace. Perhaps simply, the hypothesis is of such shocking dimensions for traditional forms of understanding and approaching our conflict, that those present preferred not to discuss its full scope and implications in any detail.

Whatever the reasons, it is evident that we need to engage in a new and deeper debate as to the nature of the armed conflict, and therefore what the solution should be. This is the key point in defining what the State response should be to the confrontation. The reply is also basic to the definition of where those of us who are not part of the State structure should direct our efforts, in the search for peace in Colombia.

All those at the table were clear about, and nobody defended a contrary position, is that in Colombia there is no civil war. It is understood that in Colombia there is no confrontation of a polarized society into two or more bands which resolve their differences by armed violence. Violence in Colombia is a matter for only the few.

Finally, there is the risk that can be inferred from the position of those who sustain that the nature of the conflict is social and political, and that its solution requires the materialization of a set of structural, social and economic reforms. The only way for peace accords with social and economic content between the insurgents and Government not to have an authoritarian character, is that those accords be only a

matter of specific negotiation, subject to subsequent popular legitimization, and open to subsequent transformations through the interplay of democratic forces. To impose social and economic visions on society with no participation by society is pure and simple Fachism. And the same would be true of the scenario in which some armed groups which come to agree on the sort of country which they want, whatever it may be, and impose it on others, precisely because they are armed.

### *THE ROLE OF DRUG TRAFFICKING*

A second point of disagreement and controversy is the role of drug-trafficking in the armed conflict. We all agree that emphasis must be placed on the concept of International Shared responsibility in the treatment of the problem of drug-trafficking. And if the hypothesis of the conflict as one which revolves around drug-trafficking finds no echo, we all agreed that drug-trafficking is a factor for the reproduction and growth of armed confrontation. But there are some very great differences of perception with regard to the impact of the struggle against drug trafficking in the solution of the conflict, and about what should be the appropriate means for that struggle. One position says that the defeat of the drug traffickers would mean the defeat of the guerrillas; another says that the elimination of drug trafficking is a precondition, but is not sufficient to win the war against the insurgents -that for example is the position of Minister Ramirez; and there is another current of opinion which says on the contrary, that peace is a precondition for gaining the struggle against drug trafficking. The three positions are so divergent, that I think we require to reconsider the problem, in order to provide an appropriate response. Among those present there was also a certain consensus, with some exceptions, in questioning the effectiveness of fumigation as a strategy in the struggle against drug-trafficking. I continue to think however, that we will also have to give another chance to this issue, because it is not clear what the actual situation would be if we had not have fumigated. It is true that in the process of counting, fumigation does not show a reduction in the figures of drug crops for this country. But it seems to me that there is another equally valid question, and that is, if the authorities had not fumigated what would the figures be today?

There is also a division as to what should be the function of a commission for the evaluation of the mechanisms and results of the struggle against drug-trafficking, whose formation was proposed by several of those present. Otti Patiño indeed recalled that in the agreements between the M-19 and the Government, it was agreed to create a national commission with this purpose, but that commission was never formed. According to Rafael Ordúz, the commission should be of an international character, and should study the world problem of drug trafficking, and ways of response to it. For others, including Ana Teresa Bernal, the central objective of the commission would be that Colombia should take up the struggle against drug-trafficking. This is also the position of some governors of departments in the South of the country. I confess that this last hypothesis annoyed me some what. I believe that

this would only contribute to the stigmatization of Colombia as a “narco-state”, and would not help to a global evaluation of the problem.

At all events, if indeed it appeared perfectly logical that other countries in the region may be concerned of the effects of eradication in Colombia, it is clear to me that the Colombian approach, and I say it frankly, must be basically egoist. This is not a question of solving the problem of the world's drug-trafficking, but solving the problem of drug-trafficking in Colombia, solving our own problem. Also, there is no doubt that in the struggle against drug trafficking, other countries will have the advantage that their territories do not have armed groups linked to the narco-business. This is mutual feedback, and the strategic alliance with the various armed groups, and this multiplies the lethal nature of drug trafficking in Colombia. In my opinion, it is what explains the size of such phenomenon, and its persistence.

#### *PLAN COLOMBIA*

We agree that there is an enormous lack of clarity as to the true nature and the basic elements of Plan Colombia. For most, it is not clear whether the purpose of the plan is to combat drug trafficking, whether it is a comprehensive proposal for peace, or whether it is an instrument for war. Be that as it may, it is urgent to undertake a deep pedagogical exercise as to what Plan Colombia is, whatever it is. This is an unpostponable task for the Government, if it wishes to avoid permanent controversy regarding the plan.

For me in particular, it is a matter of concern to see that the interest and objectives of the United States and its participation in the plan, coincide, or at least do not oppose the interest and objective of Colombia. Also, and nonetheless, I'm convinced that with regard to US participation in Plan Colombia, what there is is better, much better that what there was. The simple fact that the United States is prepared to spend US\$220 million in social investments, on matters which transcend their assistance to the Army and the Police, is a success which we should emphasize. In Colombia, there has never been international cooperation on that scale in the area of the military, or in social matters. The question as to how these resources can best be used remains open.

And one final point. For better or worse, a greater participation of the United States through its contribution to Plan Colombia, gives that country a greater capacity to exert pressure with regard to the Colombian State. This is good in the matter of human rights, and it may be good in the struggle against the paramilitaries. But there are also some attendant risks as can be seen in the Salvadorian experience. The greater the participation of the United States, the greater the capacity for pressure, the greater the vulnerability of the State, and therefore naturally, the less the autonomy at the time of taking decisions. At all events, we should take special care in not generating dependences. The worse thing which could happen to this country in this



exercise is that through Plan Colombia and its components, there is a set of dependences which prevent the State from developing autonomously in its work, and seeking its legitimate objective and interests.

#### *THE SELF DEFENSE GROUPS*

There is consensus on the immense damage which the self-defense groups or paramilitaries are causing, and as to the need to fight them as hard as we can. Joyously, there is also consensus in saying that although there exists a link between such groups and the drug traffickers, the phenomenon of the self defense group goes beyond that link. In other words, today in this matter of the self-defense groups and the guerrillas, both are on the same plane. Thus, we all agree that the illegal self defense groups are eroding the State and weakening its legitimacy.

But there are many differences with regard to what treatment should be given to these organizations in the framework of the peace process. Here, there were two very clear points of view, that of Marco Palacios for example who said that in principle we should not negotiate with the self defense groups, and that they see it as an advance made by this Government that there has been an evident rejection of such negotiations. Many others, however, said that finally, negotiations with the self defense groups were essential for a negotiated solution to the armed conflict. This point needs to be resolved, and the two positions seem not to be reconcilable. Whatever the final decision. I believe that at all events the best thing for the Colombian State would be to eliminate the figure of the recognition of political character of an armed organization as a precondition to dialogue, as expressed in Law 418. This process of qualification should be abandoned, and difficult discussions of that kind should be avoided, so that if it becomes necessary, and when it is prudent, the State may set up conversations with all the agents of violence, without the straight jacket which the precondition imposes.

On the same subject, there remained a question with serious consequences. The peace commissioner said that it is true that the State cannot guarantee the security of its citizens, and cannot defend them, but that "we cannot allow citizens to defend themselves illegally". This is true. The State cannot allow illegal defense. However, the question we all need to answer, is what are the alternatives which are given to citizens to defend themselves, if the State is incapable of defending them?. This leads me to some appalling figures, provided by the Ministry of Defense, which said that the numbers of the police fell in the last 3 years from 130,000 to less than 100,000, and that today some 200 municipalities, not to mention police districts and rural districts, have no police presence. That is to say, the numbers in the Police have fallen by almost 30% in these years, and today almost 20% of municipal areas in the country have no police. In these conditions, where there is any possibility that a citizen can obtain some type of security, if the Police cannot provide them with any protection?. If this situation is not an invitation to the propagation and growth of the

illegal self-defense groups (and we would have to say that all possibility that there would be legal self-defense groups is today prohibited) I do not understand what it could be. The police must be strengthened without delay, their presence should be increased, and the paramilitaries should have their areas of opportunity reduced.

#### *STRATEGIC AND TACTICAL MATTERS IN THE PEACE PROCESS*

There was agreement between the speakers about the need to create an internal front between democrats, to face the agents of violence, and to highlight the creation of the Common Front for Peace and Against Violence as a first and most important step in that direction. There was also agreement that the State should have a medium and long term strategy for the confrontation, and for negotiations, in which that strategy should go beyond military and police matters, and include all the factors which express the power of the State, and in which we should avoid centering all our attention on the process, and focus on the change in cultural factors which would allow peace to be secured, such that improvisation and short-term attitudes could be overcome.

However, there are definitely very different positions with regard to the manner and method of developing the process. Some, like Enrique Gomez, believe that we do not have to negotiate in the midst of war, and that the cessation of hostilities is an inevitable precondition for the success of negotiations; and there are others who believe that there is no option other than negotiation, then it must be undertaken in the midst of war. There are those who defend the demilitarized zones as the only scenario for negotiations, and who argue that demilitarized zones do not help peace to make any real progress.

In my personal view, I have one point to resolve, which I would like to share with you. The State and society should be able to establish with certainty whether the guerrilla groups look at negotiations as being strategic, and not as being tactical. That is to say, the State and society should be able to know with clarity whether the guerrilla groups are in the process because they believe that the only possibility of bringing an end to armed conflict is through a "negotiated strategic negotiation", or if they are in the process to take political and military advantage which can be obtained in the framework of negotiation (tactical negotiation). In other words, the State and society should be able to know whether the guerrillas are negotiating for peace, or negotiating to make themselves stronger for war. In that sense, I believe that the demilitarized zones may generate some unfortunate distortions. Why do the FARC finally accept Government pressure, and why is the Los Pozos agreement reached? Is it because they are banking on an negotiated solution to conflict, or because they are not prepared to loose the advantages of all kinds which the demilitarized zones give them?. It is true that in international experience, it has been often shown that insurgent organizations enter peace processes for tactical reasons, that is, thinking of the political and military advantages of negotiation to continue with their plan to take

power by the use of arms, and that in that as talks continue, they change the initial purposes, so that negotiations become strategic. But this transformation of objectives is not achieved free, and we would have to note that it is probable that the establishment of demilitarized zones for negotiation with the guerrillas will not make a contribution to them. In Salvador, the definitive point of inflection was the “final offensive”. The offensive supposed a final military effort, in which the FMLN made the effort to cease power, through the accompaniment of armed action by the guerrillas with a popular insurrection. When this possibility was frustrated, the FMLN went for the second best objective: to obtain the strongest position at the negotiating table with the Salvadorian Government. This was said by the former guerrilla commander Ana Guadalupe Martinez in Cartagena, on the occasion of the first activity organized by the Embassy in the framework of the Houston Process. Minister Ramirez left this possibility open for the situation in Colombia. At bottom, what is deduced from the position of the Minister is what I have tried to emphasize here: in the present conditions of negotiation, there are no elements to determine what the FARC’s objectives in the process really are.

On another plane, if what seems evident is the urgent need to structure public policy and to undertake substantial reforms, independently of the development of the peace process. I would dare to say that it is essential to promote by whatever means and a broadening of the physical agenda, so that it will go beyond what happens or stops happening in the process. Amongst other reasons, because the social, political and economic conditions of the country demand these reforms over and above any possible agreement with the insurgents. I believe that it is extremely unfortunate that the entire public agenda of our country today is affected by what happens or ceases to happen in relation to the peace process. Politics in the best sense, should be “de-caguanized”. There are political and economic reforms which cannot wait longer.

Another key issue is that of demobilizing and reinserting members of the armed groups. In Colombia, this is intimately linked to the problem of the survival of those reinserted, and the killing of hundreds of members of the UP ex M-19 members. From my point of view, I know that what I say is controversial, but those murders cannot be understood and never justified, except in the historical context which produced the creation and activities of the UP. The UP was the political arm of an insurgent organization, the FARC, which continue to fight at the same time as it promoted in a combined action of politics and armed activity, the progress of its movement. Therefore, the members of the UP were an alternative and illegitimate target, I insist, of those who militarily and politically opposed the FARC. The evidence that in Colombia successful reinsertion is possible, with a relatively low cost in security, or at least a tolerable cost, are the demobilization and reinsertion of the M-19, the Quintin Lame, and the Corriente de Renovación. Paradoxically, the murders of the former EPL members reinserted are almost all attributable to the FARC. All the cases of successful reinsertion show that this is possible when military action by the demobilized guerrillas definitely ceases. In order for that demobilization to be

effective, it must be total. The military structure of the demobilized group must be dismantled completely, before opening the way to political participation for those who lay down their arms. Contrary to what one participant say at this conference, I believe that the terrible experience of the UP teaches us that political action of the FARC cannot be legalized while the armed confrontation continues. It will be impossible to protect political activists of that movement, and we would be on the way to repeating the story of the UP and perhaps finally frustrating any possible expectations of a negotiated solution to the armed conflict.

Another area of our problem, is that we must examine the effects of lack of security in countries in which demobilization is not accompanied by successful reinsertion. The very high crime figures in Salvador, Guatemala and Nicaragua today are related to a failure in the reinsertion of guerrillas, paramilitaries, the Army and the Police, demobilized through peace agreements. These experiences should lead us to think of a solution for integration which would allow an important part of those demobilized forces to be engaged by the State security apparatus. I do not believe that that integration would be possible in the Army. I know at no case, except in South Africa (where integration was not only a possibility but a demand), since the conflict had its origins precisely in discriminatory practices) where the demobilized members of illegal armed organizations become part of the structure of the State's Armed Force.

Integration is possible with the Police however, as happened in the Central American countries. This solution nonetheless seems insufficient. We should think in an additional alternatives: that of the militias or rural or national guards, or the rural gendarmerie, whatever name you give it, which allows the demobilized and reinserted insurgents to play the role of police in areas which were under their influence. Naturally, this will only be possible in the framework of a State structure -not a parallel structure, and after an integrated effort to train them, so that those reinserted will be allowed to change their culture with regard to security, and adapted to the national legal order and international treaties with regard to the use of force and the protection of civic rights and liberties.

Impunity is the final controversial issue with regard to strategic and tactical matters in negotiations. For Joaquin Villalobos, peace processes always require a high dose of impunity. This has been shown in all previous experiences in this continent, including our own. Despite this, we have today a completely different situation. International doctrine has substantially developed in terms of international criminal justice. The ad-hoc tribunals of the United Nations for Ruanda and the former Yugoslavia, the creation of the International Criminal Court, the Pinochet case, the actions of judge Cavallo in Argentina, the possible extradition of a former army officer from Mexico to Spain, amongst other things, show that there is an undeniable trend towards universal jurisdiction for the investigation and trial of crimes of lessa humanitas and war crimes. The current situation proposes certain new limits to the process.

## *CIVIL SOCIETY*

There are several aspects which need to be emphasized with regard to civil society. The first has to do with the difficulties of representation. I'm afraid I can see that we are on the way of repeating what happened in Guatemala. If in the Guatemalan process there was a tri-partite table (the URNG, the Government of President Arzu, and the United Nations were the mediators), the so called Assembly of Civil Society, where practically all the sectors of organized civil society (except for CACIF, the association which brings together most business interests in Guatemala, where there, and where entitled to make proposals to the table. Many of the agreements of the URNG on the government reflect what the Assembly of the Civil Society proposed. However, at the end of the conflict, when the accords which required constitutional reforms were subjected to an exercise of popular legitimization, the majority voted no. The experience in Guatemala allows me to emphasize that in Latin America we have an under-represented civil society, a very low level of organization, and we may therefore fall into the trap of supposing that fractions of civil society which are organized represent civil society as a whole. As a consequence, we should avoid giving all the representation of society to organized sectors, and at the same time we should use our imagination to create mechanisms which will allow real participation by those who are not part of a group.

In another direction, we should criticize the idea of "neutrality" of civil society. According to International Humanitarian Law, the civil population is "immune" from military action by those in combat. But immunity cannot be confused with neutrality. There is no way that civil society can be neutral. As a whole, and as individuals, we civilians have an unavoidable commitment to defend the fundamental principles of democratic society and of the State of Law. In this sense, our task must be to evaluate the conduct of the parties to the conflict on the basis of their record in relation to those fundamental principles. Naturally, civilians must abandon the logic of the violent. That is a very Colombian temptation. We have a tendency to see realities through the same prism as the men of violence. This exercise may be useful to explain the conducts of the violent, but it runs the risk of justifying them. In Colombia, we are plagued with discourses which legitimizes violence. A fundamental part of the task of civil society is that of rejecting and combating that type of discourse. In order to construct the society we want, we must begin by accepting that in a democracy nothing justifies the killing of another, that conflict is consubstantial with societies, and that we must solve those conflicts by civilized means, if we wish to live in peace.

Another of the basic tasks of civil society in the search for peace, is to discourage the over-dimensioning which the media lend to armed action by the agents of violence. The media should inform, yes. But they should inform critically, and in all cases they should try to remove the political impact from violence.

To end, I would like to offer a solution to the discussion between two officers of the Armed Forces and other participants, as to whether the military are or are not part of "civil society". In a strict sense, the military are not part of the civil society. But the military, as civilians, are "citizens". The civil society must restore this quality of citizenship to members of the Armed Forces, and build on the basis of that citizenship bridges of communication and encounter which will allow us to solve part of the problems of distance which exist today between civil society, the Military, and the Police. Citizenship is common to us all, civilian and military.

This brings this rapporteur's report to a close. There were many issues which remained to be discussed after two days of intense activity. I hope that nonetheless, what has been written here can be seen as an exercise to complement the presentations made, and the efforts of the discussion groups to arrive at consensus. Thank you very much.