June 27, 2017. Today, the FARC guerrilla soldiers turned in the last of their weapons to the United Nations mission in Colombia, marking the symbolic end of more than 50 years of armed conflict. In this conflict—with brutal acts committed by guerrillas, paramilitaries, and government forces—more than 260,000 people were killed and 7 million Colombians were internally displaced.

Over 6,900 demobilized FARC guerrillas have been living in 26 pre-agreed upon concentration zones in the Colombian countryside since February 2017. According to President Santos, “The process of reintegration into civilian life has already begun.”

The turnover of weapons involved several steps. The UN registered and verified weapons held by FARC soldiers in the concentration zones. Then, the demobilizing guerrillas handed them over in several stages. The UN mission removed and stored the weapons, and will destroy all arms by September 1. In addition, the FARC provided the UN with a list with geographic coordinates of some 900 arms caches in other parts of the country; the UN has destroyed 77 of these arms caches to date, and will locate and destroy all remaining weapons and munitions. Progress has already been made in removing landmines, with the goal of Colombia becoming mine-free by 2021.

Every member of the FARC will sign a statement saying that they will not pick up arms again or they will lose the legal benefits and reintegration programs that they have received as part of the peace agreement. Any demobilized FARC member will lose all their benefits and can be prosecuted, of course, if they become involved in drug trafficking or other criminal activities.

According to one FARC leader, “Giving up arms is an act of will, courage and hope.... We are complying with what we promised.”

The original date of May 29 for the turnover of arms was extended to June 27 due to a series of logistical and political challenges. These included the government’s slowness in providing basic temporary living conditions in the concentration zones, lack of preparations to receive and store weapons, and a crisis of confidence on the FARC side due to difficulties in the Colombian Congress in enacting the laws to put the peace accord into action. To illustrate the first point, as demobilizing guerrillas entered concentration zones, many of the zones did not have shelters or even adequate tents, potable water, adequate food, latrines, health clinics, classrooms, or community spaces. Now, those conditions are improving in the zones, according to the Monitoring and Verification Mechanism, although major deficiencies in terms of medical care, food, and training programs remain.

Despite the obstacles, however, the turnover of weapons has now taken place. It is notable that the ceasefire has held, overcoming tense moments, with both FARC and the Colombian armed forces adhering to their commitments. Colombia is experiencing its lowest level of homicides in decades.
If these accords unravel, an opportunity for Colombia to build peace will be lost for another generation. If the accords are fully implemented, with the support of the international community, Colombia has the chance to build a more just, inclusive, and secure society.

Constitutional Court Complicates the Accords

Colombia’s Constitutional Court dealt a blow to peace accord implementation when it ruled on May 17 that it was unconstitutional for the laws needed to carry out the peace accords to be voted on via a fast-track mechanism, with ‘up’ or ‘down’ votes in the Colombian Congress. This means that sensitive issues agreed upon during the four-year negotiation could now be amended by members of Congress. This will likely draw out and complicate the implementation of the accords.

This latest complication led to “a storm of uncertainty,” according to the Colombian government’s High Commissioner for Peace, Sergio Jaramillo. It amplified FARC concerns that the government would not be able to comply with many of its commitments in the peace accords.

Nonetheless, several key laws have already been passed, including the amnesty law—which provides amnesty to those not implicated in grave crimes, limited sanctions for those implicated in grave crimes who confess to such crimes, and up to 20 years in jail for those involved in grave crimes who refuse to confess. In addition, a law permitting demobilized guerrillas to participate in politics was passed by the Colombian Senate with a 52-2 vote on May 11. The new congressional session starting July 20th must meet the challenge of passing legislation to enact the accords.

The tripartite Follow-up, Promotion, and Implementation Commission of the Final Agreement (CSIVI)—including representatives of the government, demobilized guerrillas, and UN Political Mission—agreed to postpone the disarmament deadline to June 27 given these difficulties. For its part, the government agreed to step up its plans to ensure the security of demobilized guerrillas as well as of communities in the areas the FARC vacated, where other criminal groups (including paramilitary successor groups) are expanding their reach. These measures include setting up a special police force unit for these areas and unveiling a pilot plan to dismantle criminal groups in Tumaco and Buenaventura.

The time the demobilized guerrillas will remain in temporary zones was extended another 60 days, again recognizing the national government’s slowness in providing reintegration services, as well as the unpreparedness of local governments to integrate the demobilized guerrillas into their communities.

Paramilitary Successor Groups Expanding their Reach

In areas vacated by the FARC, paramilitary successor groups are expanding their operations, threatening rural communities, and consolidating control of the drug trade. These groups have their origin in the paramilitary forces that were partially demobilized in 2005, which operated with the tolerance and sometimes support of members of the armed forces and local political leaders. These groups are believed to be largely responsible for the increase in killings of social leaders in recent months, including Afro-Colombian and indigenous local community leaders. According to the Attorney General’s office, although homicides have declined at a national level, “the demobilization of the FARC has left power vacuums in some areas.” In Caquetá, for example, the removal of the de-facto power broker of the area resulted in “homicides growing at the rate of 35 percent....” Despite the overall drop in violence attributed to the government-FARC ceasefire, the conflict is still far from entirely over in Colombia. Paramilitary successor groups and other armed actors have to date caused 42 mass displacements in 2017 according to the UN Refugee Agency (UNHCR) office in Colombia.
Paramilitary successor groups are offering demobilized FARC guerrillas payments to desert the peace process and join their ranks, according to the ecumenical network DIPAZ, which is closely monitoring the implementation process in the countryside. In order to ensure that demobilized FARC members do not abandon the process and join other criminal bands, it is essential for the peace accords to be fully implemented, including by providing reintegration programs so that demobilized guerrillas can rejoin civilian life.

Coca Production a Problem, But Accords Offer a Solution

Colombia faces a considerable increase in coca production. The Colombian government recognizes this and is pledging to escalate its efforts to address the problem, with an ambitious goal of eradicating 100,000 hectares in 2017. The government is signing agreements with farm families, offering the latter assistance for eradicating coca and substituting it with legal crops, as well as eradicating coca in parklands.

The Colombian government must step up its efforts to address this problem. However, successful implementation of the peace accords is in no way an obstacle to coca eradication. Indeed, the peace accords, and the potential end to conflict, provide a real opportunity to address coca cultivation in a more sustainable way.

The accords include a “drug policy chapter” that commits the government to work with rural communities to manually eradicate coca and poppy, and help replace them with sustainable livelihoods for farm families. The chapter emphasizes working closely with rural communities and expanding the presence of the state in these areas—namely, through roads, infrastructure, agricultural extension services, schools, and health clinics.

The accords call for aerial spraying, which destroyed coca crops at the expense of rural communities’ health and access to food, to be a tool of last resort. Colombia stopped aerial spraying in 2015 after the World Health Organization’s cancer research agency named glyphosate, the main ingredient used in aerial spraying, as a “probable human carcinogen.” In February 2017, a decision by Colombia’s Constitutional Court appeared to bar restarting the program due to its damaging impact on indigenous communities.

If the Colombian government vigorously implements the drug policy chapter of the accords, helping farm families eradicate and replace coca and poppy and promoting legal alternatives, it will likely achieve a more sustainable solution than aerial spraying and forced eradication, which has only pushed coca cultivation from one region of the countryside to another. These efforts should become more viable as the conflict subsides and the Colombian government brings a civilian government presence into former war zones. It will also be crucial for the Colombian government to investigate and dismantle paramilitary successor groups that are broadening their control over the drug trade.

Protests on the Pacific Coast

The month of May was marked by civil unrest in the Department of Chocó and the port city of Buenaventura. Thousands of nonviolent protesters took to the streets to denounce the state’s neglect. Residents halted all work-related activities and rallied to demand the provision of basic services—such as potable water, hospitals, schools, and roads—and decry the high levels of corruption and insecurity that plague the region.
Colombia’s Mobile Anti-Riot Squadron (ESMAD) met protesters with excessive force, spurring human rights organizations such as Amnesty International and Human Rights Watch to condemn the government’s response.

The people of Chocó and Buenaventura reached agreements with the government and the strikes effectively ended on May 26 and June 6 respectively. The government pledged to invest US$150 million in the Department of Chocó and US$342 million in Buenaventura to address the shortfalls in infrastructure, security, and basic services. Addressing the conditions that led to the strikes is essential for the successful consolidation of peace in Colombia. Thus, the international community should urge the Colombian government to comply with the commitments it just made, according to Gimena Sánchez-Garzoli of the Washington Office on Latin America.

The Pacific Coast’s Afro-majority population has been historically neglected by Bogotá. The poverty rate in the Department of Chocó is almost 63 percent, while unemployment is at around 11 percent. Buenaventura has exceptionally high levels of poverty and unemployment: two thirds of the city’s 390,000 inhabitants live in poverty, and the unemployment rate is a whopping 62 percent. Though Buenaventura’s port generates around US$1.8 billion in revenue for the Colombian government each year, only around 3 percent of that money is invested in the city. There is a remarkable lack of basic services and infrastructure in both places: an alarming number of people do not have access to water, live in inadequate shelter, and are far from hospitals and schools.

Moreover, there has been a marked increase in violence in both Chocó and Buenaventura in the months following the signing of the peace accords. Other armed actors—including the ELN and paramilitary successor groups—have been vying over control of the territories and drug routes the FARC left behind.

The strikes that took place this past May are not the first of their kind. In 2014, the city of Buenaventura made headlines when tens of thousands of its residents organized protests on the same grounds. Even back in 1987 the people of Chocó were marching for similar reasons. In both cases, despite the government’s pledge to address the communities’ concerns, the situation improved minimally.

It is crucial for Colombia to prioritize the full implementation of the ethnic chapter of the peace accords to ensure that the gains of peace are felt in regions like Chocó.

Peace talks with the ELN

The second round of negotiations with the last remaining major guerrilla group, the ELN, is now underway. Civil society participation in the peace talks, humanitarian measures including demining, and the inclusion of a second group of supporting countries to accompany the negotiations are among the issues being discussed. The ELN is pushing hard to have unprecedented civil society participation at the table, while the government continues to have concerns that this could make the talks unwieldy. The guerrilla group has also been openly critical of the attacks against social leaders and wants to include this issue in the negotiations. The ELN is closely watching the government’s compliance with implementation of the agreement reached with the FARC; if it goes off rails, it could damage negotiations with the ELN.

Negotiations might advance if both sides could agree to a bilateral ceasefire. The government’s understandable reservation is the ELN’s continued involvement in human rights violations, including briefly abducting two Dutch journalists who were then released. The Colombian government has asserted repeatedly that a ceasefire can only be possible if the group puts a stop to kidnappings and other hostilities. Colombian Catholic leaders—namely, the president and vice president of the
Colombian Bishops’ Conference, as well as the archbishops of Bogotá and Cali—sent a letter encouraging both sides to move ahead with the ceasefire. Moreover, the Pope, scheduled to visit in September, will likely encourage advances in the negotiations between the government and the ELN.

Recommendations for U.S. Policy

- Provide substantial funding for peace accord implementation in Colombia, including programs for reintegration of demobilized guerrillas, for victims of the conflict, for strengthening human rights, and for Afro-Colombian and indigenous communities. Continue human rights conditions on assistance.
- Urge the Colombian government and Congress to move forward effectively to comply fully with the peace accords, establishing the necessary regulations and laws, and faithfully implementing provisions to ensure reintegration and protection programs for demobilized guerrillas, as well as programs for truth, justice, and reparations for victims of the conflict. This must also include carrying out measures to protect human rights defenders and implementing the ethnic chapter of the accords to protect the rights of Afro-Colombian and indigenous communities.
- Encourage the Colombian government to vigorously implement the drug policy chapter of the accord, working closely with farming communities to manually eradicate coca and poppy and replace them with sustainable, legal livelihoods.
- Exhort the Colombian government to comply with agreements reached following the strikes in Buenaventura and Chocó and ensure that the ESMAD riot police, as well as all security forces, respect Colombians’ right to peaceful protest.
- Call on the Colombian government to take action to dismantle paramilitary successor groups that are threatening communities and broadening their control over the drug trade. This should include setting up an independent unit in the Attorney General’s office to investigate paramilitary successor groups and criminal bands.

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