

Colombia Action on



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Children's band in Sibundoy.

XXX

A PEACE PROCESS

by Clara Nieto de Ponce de Leon*

(Translated by Beatriz Vejarano Villaveces, a CSN Volunteer translator)

What is going to happen with the Final Peace Agreement between the Colombian government and the FARC, reached after six years of tough negotiations, two of them in secret dialogues, in Havana, Cuba? Humberto de la Calle, chief government negotiator, and Sergio Jaramillo, Peace Commissioner, say that it is the best agreement possible. It was signed by President Juan Manuel Santos and Rodrigo Londoño (alias Timochenko), Commander of the FARC, in Cartagena on September 26. It was a moving ceremony, the city square full of foreign leaders and personalities such as Ban Ki-Moon, U.N. Secretary General, and Fatau Bon Bensouda, Chief Prosecutor of the International Criminal Court, and thousands of jubilant invited guests, all of them dressed in white, the color of peace.

A Peace Process continued

On October 2, date of the nation-wide plebiscite in which Colombians were asked to ratify the agreement by voting “Yes” or “No,” the negative option won. Former President Álvaro Uribe Velez led the “No” side, and his party, Centro Democrático, carried out a skillfully misleading campaign. Juan Carlos Velez Uribe, manager of the campaign, explained the strategy: The idea was to disregard the agreement altogether and put out a series of gimmicky messages, targeted at specific socio-economic strata and geographical areas, to make people go out to vote mad as hell. This campaign has been challenged as illegal before the Supreme Court.

The international community, which supports the Colombian peace process, can't understand how a majority can vote against peace and oppose the end of the armed conflict that bled the country for more than 70 years. There is distress and disappointment. The New York Times devotes an editorial to Uribe with the title of *The Man Blocking Peace in Colombia*, mentioning his campaign of deceit and holding the former president responsible if the armed violence returns. Messages of support for Santos arrive from all corners of the world, and the Norwegian Committee decides to

grant Santos the Nobel Peace Prize for 2016 in recognition of his persistent search for peace, of the national dialogue he proposes with opponents and other sectors, and of the peaceful solution to this long conflict. It is the only successful peace negotiation, and the Colombia peace process is “an example for all the world,” according to the Committee. Mass demonstrations fill the squares of the regional capitals throughout several days backing the president and demanding that the peace accord be respected. They demand peace.

Uribe requests a meeting with Santos, and government-opposition dialogues begin regarding the changes that the “No” camp and other sectors want to introduce in the agreement. These changes must be discussed and accepted by the FARC. Uribe lays down 13 proposals, of which ten are possible, according to Senator Roy Barreras, who participated in the Havana negotiations, and three are unworkable: granting pardons to members of the military is unconstitutional and could be taken up by the International Criminal Court; dismantling Transitional Justice (Santos rejects this); and trying to block the political participation of FARC leaders. It would mean the end of the peace

process, Barreras adds. The negotiators returned to La Havana to meet with the FARC and took these proposals with them. Santos set October 20th as deadline for putting them on the table.

FARC leaders cancel a meeting requested by Uribe followers in Bogotá. Uribe had sought to set up a “technical” negotiation table including “No” leaders, a FARC lawyer, and the government. But Timochenko gives the order: the only legitimate negotiating table is the one set up by the government that has been working for the past four years. The outlook is thus uncertain and complicated. Uribe, a man accustomed to using trickery and lacking scruples, can stall the negotiations at his convenience. It remains to be seen how Santos stands up to him.

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CSN supports a nonviolent, negotiated resolution to the conflict in Colombia.

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The Peace Process at a Crossroads

By Enrique Santiago – Romero*

(Translated by Josephine Rosene, a CSN Volunteer
Translator, and edited by Jack Laun)

On August 24 of this year, the “Final Agreement to End the Conflict and Establish A Stable and Lasting Peace” was signed in Havana, Cuba, with the aim of ending the last of the internal armed Colombian conflicts, part of a cruel fifty-two-year war which itself followed other civil wars that, since the end of the nineteenth century, have decimated Colombia. The Peace Agreement seeks to end a historical cycle of political violence that has caused hundreds of thousands of deaths, more than six million displaced persons, 55,000 disappeared persons, and up to a total of seven million victims; at the same time it attempts to modernize a country whose agrarian economic structure forms a debilitating weight upon social development and a serious limitation upon food sovereignty. Colombia imports 50% of the food it consumes, while hundreds of thousands

of hectares are found to be unproductive in the hands of large landowners or underutilized in the hands of cattlemen: 53% of usable land rests in the hands of 2,300 people while millions of campesinos (small-scale farmers) live in poverty. On October 2, a plebiscite was held for the popular endorsement of the Final Agreement; the Peace Agreement was rejected by just 53,000 votes among thirteen million votes that were cast, with an abstention of 65% of the electorate. The victory of the NO vote was unexpected, including by the political and religious amalgam that defended this option, so that they did not even have a proposal prepared that reflected the diverse arguments that have solicited votes against the Agreement. The disproportionate arguments utilized by the defenders of the NO vote have been the alleged establishment of a “Castrochavista” regime; the imposition of an “ideology of gender”; the prediction of a rise in taxes; or the annulment of the right to

private property...

The plebiscite was carried out by a unilateral decision made by President Santos, in spite of him having sufficient constitutional authority to approve any peace agreement. It is the first time that a plebiscite has been carried out to approve a peace agreement, despite the dozens that have been attained since the country’s independence. It is a legal abnormality to submit the fundamental right to peace to popular consultation, being this an inherent right, inherent to human dignity, defined by legal doctrine as “counter-majoritarian” or not subject to popular consultation. The plebiscite was carried out without prior stopping of the excessive war propaganda which the Colombian state has been using against the guerrillas while at the same time hiding the role of state agents and paramilitaries in the victimization in the country, which has turned against the National Government at the time to move forward with the plebiscite.

The Peace Agreement is the first real opportunity in fifty-two years to end the war. The result of the plebiscite presumes a political problem to which a political solution must be found. There is no doubt that the Final Agreement has full legal reach, and that is because the plebiscite only seeks citizen opinion on a determined policy. This is what the Constitutional Court declared last July 18, declaring that the plebiscite lacked legal effect, its result being exclusively a political mandate to the President, not even to other institutions of the State. The Final Agreement was signed as a Special Agreement of Common Article Three of the Geneva Conventions, with all of the necessary formalities to deploy its effects after signing.

When the plebiscite was being held the Final Agreement was already being executed, through at least thirteen



Taita Arturo and his daughter with Carmenza Tez's family members and CSN President Jack Laun in Sibundoy.

... at a Crossroads continued

measures that the Government and the FARC began implementing after the signing. Now a paralysis of the execution of these measures could be produced, as well as preventing the immediate startup of others, thereby prolonging the situation, which would produce a failure of the peace process. More than being about the Final Agreement, the plebiscite debated about the leaderships of the two most powerful political figures: Santos and Uribe. The recent award of the Nobel Peace Prize to President Juan Manuel Santos supposes an evident support that the international community has for the Final Agreement which has been reached. The announcement of the initiation of peace talks with the National Liberation Army is good news

that envisions complete peace.

The concerns of those who voted NO must be addressed, and measures must be adopted at the negotiating table that clear up the supposed harmful effects, which according to the above No vote supporters the Final Agreement would have on Colombian society. The concerns of those who voted YES must also be addressed, practically the same number of citizens. Furthermore, it is essential to act in a way which respects the rights of many of those who could not vote because of Hurricane Matthew or because the electoral registers were not opened in advance so that many victims of the conflict could not vote. The result of the plebiscite cannot be converted into an insuperable obstacle, nor proceed to be interpreted

as a mandate against the only peace agreement that it has been possible to attain in fifty-two years, unless six complex years are intended to be thrown into the dustbin of history. Now it falls to us to listen attentively to the victims of the conflict and act consequentially. It has been in the places where the war has caused direct and stark suffering where the vote has been with a majority YES to the peace agreement, the support being virtually unanimous from all of the victims of the conflict, regardless of the actor which has victimized them.

Enrique Santiago Romero, Legal Adviser to the Peace Delegation of the FARC-EP in the talks in Havana.



Installation of the Transitional Neighborhood Zone in Pueblo Nuevo on the Nasa Reservation

The Transitional Zone of Normalization in a hamlet in the Ancestral Territory of Sat Tama Kiwe, Indigenous Reservation of Pueblo Nuevo in the Municipality of Caldono, Cauca and its Challenges

by Julxo Cesar Paskwe Ulkwe*

(Translated by Josephine Rosene, a CSN Volunteer Translator, and edited by Jack Laun)

Peace cannot be the result of imposition, but rather the contrary, it should arise from the dialogue and construction of all actors immersed in the conflict, among them the victims. The Nasa indigenous people of the municipality Caldono have always been a promoter of the search for stable and durable peace, not only for its comuneros (here a comunero is a person belonging to an indigenous community, in this case the Nasa community) but also for its territories which, for more than fifty-two years, were converted into battlefields.

The reservation of Pueblo Nuevo has, for the second time, the opportunity to contribute to the construction of peace. The first time was in the year 1991 when, in its territory, the insurgent group Quintín Lame laid down their arms. Now, in the peace process with the FARC-EP, the Nasa territory will again be the protagonist. The neighborhood Transitional Zone of Normalization (ZVTN) will be the hamlet Los Monos. In this hamlet, the members of the FARC-EP will be concentrated, and they will be monitored by the United Nations Organization, the national government through military forces, and the countries which are the guarantors of the process, in other

words through the tripartite organ in charge of monitoring and verification.

According to the agreement between the national government and the FARC-EP, these zones will be exclusively for members of the insurgent group, where they must stay until they have 100% completed laying down their arms. The nearby civilian population will not have contact with the insurgents. The subversives will be able to leave these zones dressed as civilians and without arms, and no member of the public forces will enter these hamlets, nor will the civilian population.

At the beginning, this hamlet zone created controversy with other indigenous reservations, including with the Regional Indigenous Corporation of Cauca (CRIC). These reservations argued that it called into question territorial autonomy, the implications of which possibly would arise upon the arrival of persons from outside of the territory and above all because it was a zone which had not been consulted with the authorities, and this fact would have violated the right to prior consultation.

In order to achieve the maintenance of the Transitional Zone of Normalization (ZVTN) of the hamlet, the reservations of Caldono, Pioya, Tumburao and Pueblo Nuevo should socialize in assembly spaces in different reservations, for the purpose of reducing the conflict generated by misinformation and by the different

positions that there were with respect to not permitting that there be a hamlet zone in this territory

It should be noted that the Reservation of Pueblo Nuevo, before its territory had been mentioned as a possible hamlet zone, had already carried out assemblies with the community action boards (Juntas de Accion Comunal) and with social organizations that make up part of this territory. In these spaces not only were problems such as security, autonomy, and social justice debated, but also what would be the role played by those who would return to their communities after having been in the ranks and files of the FARC and how the town councils would permit or not the entry of these people into the political life of their communities.

These debates were given more as a humanitarian character, since the authorities and communities recognize that there are community members (comuneros) who belong to the insurgency of the FARC-EP, as well as also community members who belong to the Military Forces. Both bands during the fifty-two years of conflict caused harm to the civilian population. This is the reason why authorities and community residents see in this zone the possibility of reconciliation, since those who belonged or belong to these armed actors are sons of the same territory. They should begining now

The Transitional Zone continued

work jointly in the consolidation of peace for all of the territory, and their only arm will be dialogue and debate, as well as argumentation.

Despite differences, many indigenous councils and social organizations that at one time didn't share the idea of having a ZVTN in their territories have come to accept the idea and have proposed that they be overseers (veedores) and will monitor the zone with indigenous guards, and the community will be attentive to any anomaly that presents itself in the zone. Besides today they have joined the activities of installation of the ZVTN to such an extent that they are teaching about it and they have participated in workshops teaching about the agreements of Havana. They were also the ones who worked jointly on the call to vote YES in the plebiscite of October 2.

Every day, more organizations join in, including evangelical churches and community action boards. Not only have they joined to say YES to peace,

but they also have also explained the Agreements to the people. All of this on the understanding that peace is only possibly if they organize, if they succeed in generating proposals that help to strengthen the social fabric. As much organizations as leaders and civilian and church authorities know that a stable and lasting peace depends upon the measure in which they achieve a good implementation and can be participants in the verification of the agreements.

In any case, this debate still continues. The only thing that is certain is that as much the authorities as the communities have opened a space and have permitted that a ZVTN can be located in their territory. The real objective of the ZVTN is to contribute to the search for reconciliation and the construction of a stable and lasting peace for all community residents.

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Peace Community leaders meet with CSN delegation members.



The Colombia Support Network

Action on Colombia

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STATEMENT BY CENSAT— AGUA VIVA

Friends of the Earth Colombia
*for the continuity of the negotiations and peace
building process in Colombia.*

October 6, 2016

Following the outcome of the plebiscite of October 2nd, when a sector of the population opted for not validating the agreements between the FARC guerrillas and the Colombian government led by President Juan Manuel Santos, we want to say to the nation and international community that:

We call upon between the parties to avoid, under all circumstances, the end of the bilateral ceasefire agreed upon between the FARC and the Colombian government, because if the armed confrontation is resumed, this would mean a return to the cruel reality of war, which has resulted in the death of approximately 300,000 men and women in the conflict suffered by our country.

We consider that the rejection to validate the agreements by a close margin, through a plebiscite, is mostly a call to a peace from different perspectives, and in no way a vindication of violence and the continuity of war; it is also a call for real participation of society in the resolution of the armed conflict. In the meantime :

We invite the different social sectors of Colombian society committed to the life to protect the peace-building process with the demands and claims from the people, as represented by their processes, organizations and movements. Supporting the construction of peace should manifest itself today more than ever through the social mobilization of all the living

forces that build the country to dignify their daily lives and dreams. People can not give in to manipulation attempts by opportunistic political actors that under personal and dominant-class interests mislead and manipulate public opinion, and present themselves as representatives of civil society, promoting war and political violence in Colombia. The massive mobilizations for peace that took place on October 5th in over 14 cities are a clear indication of support for the defense of life and opposition to opportunistic actors that promote violence.

We demand the inclusion and effective binding participation of peoples—communities, organizations, processes and social movements—in the forthcoming continuation of negotiations with the FARC guerrillas, and in those that should proceed swiftly and public with the National Liberation Army - ELN. Those peoples who have lived atrocities of war and have built, day by day, alternatives for peace, are the ones to be called to propose concrete ways out of the crossroads faced by the country, in spaces such as the Social Roundtable for Peace -MSP- and the Environmental and Mining Energy Social Roundtable - MSMEA -, among others.

We reject the possibility of any potential pact between elites that brings the country back to scenarios such as the National Front, which fueled the spirit of war and submitted rural people and some urban sectors into one of the most violent and bloody episodes on record. A historical violence that

was supported by the same elites and fractions that have wanted to perpetuate the armed confrontation and which today refuse to let the peace process advance.

We ratify our will and full support to the quest for truth and its construction, that could partially emerge from the ethics and truth commissions identified in the current process- that truth that is so feared by the sectors supporting war, which try to conceal it through fear and intimidation strategies imposed on the population, due to the benefits that war brings to them. We underscore our commitment to the construction of historical memory and environmental truth, as necessary conditions for reconciliation between human beings and with our territories. This construction process should put the people affected by violence in the center- a violence that has stolen their livelihoods, but not their dignity to continue defending life.

We ask the international community for their permanent support to ensure that the country advances towards the construction of peace in the territories, with environmental and social justice, and for making sure that the silencing of gunfire allows for political dissent and dialogue as the foundations on which to build a just and sustainable Colombia, based on solidarity. We call on you to support social movements so that they have guarantees for the free development of their actions and projects for the defense of life and territories.



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