

Building political will for dialogue

Pathways to peace talks in Colombia

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'No peace process can be understood in isolation, and in each process the previous ones appear: as light or as shadow.'

Vera Grabe, co-founder of the former Colombian M-19 movement

The peace agreement between the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia – FARC) and the Colombian government was reached after four years of official negotiations in Havana. Preceding this were two years of secret talks leading up to the signing of a Framework Agreement between the parties on 26 August 2012 that set the stage for Havana, as well as 60 years of protracted armed conflict and multiple attempts at peace negotiations. In parallel to the recent FARC process, efforts were also made to launch peace dialogue between the government the National Liberation Army (Ejército de Liberación Nacional – ELN), which have since stalled.

The latest peace process with the FARC has unfolded in an era when space for peacemaking has been shrinking, in Colombia and globally. It has become much harder to distinguish when war ends and peace begins. Increasingly, conflict parties talk, reach limited agreements, and stop and resume combat, again and again. Conflict parties' interest in pursuing war is seldom constrained by their external allies, who sometimes even encourage and embolden them. Hawkish strategies have been further

bolstered by populist politics and terrorist labelling of armed groups, while governments embroiled in armed conflicts are increasingly reluctant to embark on dialogue processes.

To understand the pathways from fighting to peace talks for parties to armed conflict, it is essential to look at both non-state armed groups and the state. International peace and security policymaking often over-emphasises armed groups, asking how to nudge them towards the negotiating table, or how to 'talk to terrorists'. Yet equally important is understanding the push and pull factors for governments, which can be the most reticent about entering into dialogue, fearing giving an armed struggle legitimacy or credibility. There are often few incentives for governments to shift strategies away from warfare, especially when their enemies have been designated as terrorists.

This article explores early peace dialogue in Colombia, to develop understanding of the elusive notion of 'political will', and what moves conflict parties towards a tipping point to engage in dialogue. It looks at how Colombian conflict parties made strategic calculations to move towards dialogue and have sought a political exit from the battlefield, and how each party has struggled to build and sustain cohesion and commitment for peace. The investigation of the forces and factors that lead governments and armed groups to talk to each other provides clues as to what to look out for, what questions to ask and what other actors can do to help.

Strategic calculations towards dialogue

How do governments and armed groups understand the shifts in their status and resources when deciding whether to continue violence or explore dialogue? William Zartman's notion of a 'mutually hurting stalemate' is a seminal influence in understanding why parties enter negotiations – when the cost of continuing the struggle exceeds the benefits, and both parties feel enough 'pain' to prioritise dialogue. But pain is subjective, thus *perception* of pain is key to strategic decision-making. In Colombia, governments and armed groups alike have denied they were experiencing battlefield 'pain' as a way of resisting dialogue.

International support can help to insulate conflict parties from feeling the political pain of the armed confrontation. As discussed in more detail below, international support for classifying the FARC as terrorists helped to demonise them and reduce pressure on the government to seek dialogue. The increased legitimacy and the financial and military support that the Álvaro Uribe administration (2002–10) received from the United States also greatly reduced its inclination to shift from a war strategy and helped convince large sectors of the population that the war could be won militarily.

The change in leadership with the arrival of President Juan Manuel Santos in 2010 was pivotal. As the former Minister of Defence, Santos had already come to the realisation that while the state might have the upper hand on the battlefield, the war could not be won by either side: the advances by the Colombian military were plateauing, and, however bruised, the FARC remained defiant.

The government became increasingly aware of the political costs of its military strategy. Dubious tactics such as extra-judicial executions committed by the army came into the spotlight. Active campaigning by human rights organisations in Colombia and internationally had negative implications for the Free Trade Agreement (FTA) being negotiated with the US. In 2009 the FTA was put on hold and the US started slowly reducing its military support, in part over concerns about human rights violations. This shift by a loyal ally affected the Colombian government's strategic calculations. President Santos was sensitive to these signals and in tune with the global business elite.

“ Once an armed group has been vilified as terrorist, then the idea of dialogue with it appears impossible. ”

The Uribe government for many years claimed that the FARC was 'defeated'. It was only from 2008 onwards that the FARC showed signs of recognising its own military limitations – spurred by generational changes within the organisation, as key leaders died and mid-ranking FARC cadres deserted. The FARC leadership also became increasingly aware that the emerging generations were not as ideological, so the possibility of a negotiated solution became more appealing to the FARC as a way of trying to maximise their remaining political capital. But without a political exit they had nowhere to go.



FARC members inform villagers of the status of ongoing negotiations taking place in Havana, Cuba between the Government of Colombia and the FARC, 2015. © Federico Rios

Finding a political exit

Conflict parties need a political exit from their military confrontation – a sense that dialogue with their opponent is possible, and for armed groups that they have a post-war political future. Prospects for dialogue are deeply affected by the intense polarisation that takes root in protracted conflict. The use of the terrorist label heightens this – once an armed group has been vilified as terrorist, then the idea of dialogue with it appears impossible, let alone prospects for a pathway into nonviolent politics. There is no political exit even for the government, which cannot be seen to be talking to terrorists.

In Colombia, the challenge was overcome by a systematic shift in discourse by President Santos, who created space for dialogue to happen through a ‘linguistic ceasefire’. This involved recognising the confrontation with the FARC as an armed conflict, instead of a war against terrorism; and stopping calling the FARC *terrorists*, but rather describing specific actions by them as *terrorism*. Santos’s new strategy was aimed at multiple audiences in Colombia and internationally to ‘de-vilify’ the FARC and so make talks possible.

Designating an armed group as terrorists helps to criminalise their political agenda and push them underground. Socio-political and cultural movements associated with armed groups are also often criminalised, further closing pathways to nonviolent politics. For the FARC, sketching out a possible political future was a central issue during initial exploratory talks with the government, and the political participation of opposition parties became a central feature of the 2012 Framework Agreement for formal negotiations.

“ **Consensus *within* conflict parties is critical for effective dialogue.** ”

In September 2008, at a time when no formal contact with the FARC was permitted, a group of civil society activists and intellectuals known as Colombianos and Colombianas por la Paz engaged in an innovative public letter exchange with the armed group in order to encourage some form of discourse. Over the course of three years, some 45 letters were exchanged with the FARC, an important aspect of which focused on getting the FARC to reconsider their use of hostage-taking. The FARC acquiesced, releasing 40 hostages and renouncing kidnapping as a tactic of war in February 2012. This had the double effect of signalling willingness to engage in peace efforts and trying to open up space for a possible political path.

External allies can also influence armed actors and help create political space for dialogue. When President Santos came to power he made proactive efforts to rebuild relationships with neighbouring countries such as Ecuador and Venezuela which had become strained under President Uribe. Left-wing governments in Latin America played an important role in relation to the FARC, which was enthused by the Venezuelan model of revolution achieved through elections. President Hugo Chavez advocated increased political space for the FARC including by asking for their removal from European Union terrorist lists, but he also put pressure on the FARC by saying that the time for armed action was over.

Internal cohesion and reaching ‘peace consensus’

Consensus *within* conflict parties is critical for effective dialogue. Many conflict parties admit that the toughest negotiations are often inside their own camp.

“ **Dialogue never happens in a vacuum, isolated from other actors or from previous experience.** ”

A key lesson learned by the Colombian government from the Caguán negotiations (1999–2002) was the need to have the military on board. Failure to have militaries and security services fully under state control poses serious challenges for establishing and sustaining negotiations. In Colombia, the decision not to have a bilateral ceasefire ahead of the Havana negotiations in 2012 was intended to keep military pressure on the armed group, but also ensure the military still felt in control and empowered. It was also a way for the early talks not to be derailed by ceasefire violations.

For the FARC too, internal dialogue and consensus building was essential in bringing about a deep change in strategy. Despite their apparently hierarchical and monolithic structure, there were serious differences of opinion within the FARC about whether to explore dialogue, for example between those who had remained in Colombia to fight and those who had left the country. Leadership in building consensus was pivotal. In the lead-up to the Havana talks, then FARC leader Alfonso Cano led an internal consultation until he managed to secure enough unity around the idea of entering dialogue. He built up enough support that his death in late 2011 did not derail the early phase engagement with the Santos government.

Building and sustaining cohesion within an armed group is not easy, as discussed in the Box on talks with the ELN. For armed groups that are deeply embedded in society,

ELN-Santos early talks: navigating a bumpy road

Formal negotiations between the ELN and the administration of Juan Manuel Santos (2010–18) began on 2 February 2017. These were held in Ecuador until April 2018, when they moved to Cuba. After five months of stagnation and an ELN-led terrorist attack in Bogotá, President Iván Duque (2018–present) ended the negotiations in January 2019.

Pathway to talks

Notwithstanding the difficulties experienced by the formal negotiations, the road to Ecuador and then Cuba was itself bumpy. Secret talks started on 27 January 2014, two years after the Santos government and the FARC had begun their exploratory talks. The ELN dialogue was part of the government's wider peace strategy, which assumed that negotiations with the FARC would establish a similar pathway with the ELN. The government calculated that both sets of talks could eventually merge into a final 'grand peace bargain'.

Conditions for negotiations with the ELN were reached based on two elements. First, the achievement with the FARC of two partial agreements on issues that were also of central importance to the ELN – agrarian reform and political participation. Second, the fact that President Santos's 2014 re-election campaign was based on a 'peace ticket'. The ELN identified an opportunity to negotiate in this context. Santos's decision to announce the negotiations with the ELN in the midst of his campaign arguably contributed to his re-election. Both parties saw formal negotiations as a win-win opportunity.

Dialogue model

The ELN contested the Santos-FARC negotiation model. In October 2010 Nicolás Rodríguez, on behalf of the ELN's central committee (COCE), had announced the group's willingness to negotiate using a model they had been proposing since 1998, which they called the 'National Convention'. They wanted an inclusive process that did not focus solely on bilateral talks but also involved civil society.

The first meeting between representatives of the Santos government and the ELN occurred in August 2012 in Venezuela. During the meeting, ELN commander Antonio García agreed to relay to the COCE and the ELN's directorate the government's invitation to negotiate. But the beginning of exploratory negotiations were delayed when in January 2013 the ELN kidnapped six people. The government made dialogue conditional on the release of these hostages – and kidnapping remained a stumbling block thereafter.

Although the early talks achieved a six-point agenda in March 2016, formal negotiations did not begin until February 2017. The ELN demanded bilateral trust-building gestures

from the government, which in turn requested that the ELN take the first steps. Paradoxically, the Santos-FARC peace talks now became an obstacle. The government saw the ELN negotiations as replicating the FARC talks. The ELN, however, distanced itself from the Havana process, seeking to avoid being seen as subordinate or an afterthought.

There were divisions within the ELN leadership during the early talks, but their leadership has since solidified around a strategy of continued armed resistance. This has gained traction in the current climate of discontent in Colombian society caused by the slow implementation of the Santos-FARC peace accord and has seen the ELN grow financially and militarily.

International support

The support of the international community was also vital. Norway, Cuba, Chile, Ecuador, Brazil and Venezuela helped to build trust. In some cases they hosted secret back-channel talks between envoys of the government and the ELN, until the negotiating table was installed in February 2017. Later, Germany, the Netherlands, Italy, Switzerland and Sweden created the Group of Accompaniment, Cooperation, and Support to the Negotiation Table, sponsoring civil society to engage in the process.

In 2019 when President Duque ended the negotiations, he formally requested that Cuba hand over the ELN negotiation team. The international community was thus faced with a conundrum that could impact negatively on future negotiations, as Colombia was now asking Norway and Cuba to disregard the negotiation protocol they had signed with the ELN.

Civil society

Deadlocks in the early talks encouraged civil society involvement. In 2015 civil society organisations and parliamentarians had formed coalitions such as the 'Complete Peace' campaign to build greater citizen engagement and to craft a more inclusive negotiation model. Organisations launched a 'Social Platform for Peace', and meetings between the government, ELN prisoners, and social groups across the country proliferated. Civil society encouraged the government and the ELN to confront the issue of kidnapping. Trusted individuals became go-betweens, talking to negotiating teams and supporters and even defusing several crises.

Two opportunities for greater inclusion materialised during the formal negotiations, thanks to efforts in the early talks. First, civil society lobbied for an 'early bilateral ceasefire'. This was agreed in September 2017 and lasted for 100 days to January 2018, helping to address the humanitarian crisis in conflict-torn regions. Second, with support from the international community, 224 civil society organisations

established relationships with representatives from the official negotiations to discuss a model for the participation of civil society in the talks.

Attempts to end the conflict with the ELN date back to 1982 and paved the way for early talks between the Santos government and the ELN, resulting in important gains during the formal negotiations. However, these early opportunities did not transform into a solid, participation-driven negotiation at the formal stage. It remains to be seen if, in the current

context, civil society and the international community can influence political will to bring the parties into a new cycle of formal negotiation.

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as the ELN is, some internal discussions can be more effective when extended to their constituencies.

Committing to peace

Managing commitment problems is a perennial challenge in peace processes. For states, a strategic shift towards peace is likely to require concessions that imply losses, such as of territory or in relation to power sharing. A key reassurance for some state parties in early phase dialogue is to try to situate discussions within constitutional parameters.

The 2012 Framework Agreement was hinged to the Colombian constitution. The FARC accepted and acknowledged the Colombian state and agreed to join the democratic process for the first time. Of course, actions speak louder than words when it comes to commitment. The unilateral and protracted release of 40 hostages by the FARC and their renunciation of hostage taking was an important signal. Conversely, the refusal by the ELN to release hostages indicated a lack of political commitment and became a recurrent stumbling block in the process.

Armed groups' commitment challenges often relate to security and the need to lay down their arms – specifically their concerns about losing their military leverage and jeopardising their own safety. Meanwhile, dialogue never happens in a vacuum, isolated from other actors or from previous experience. Many armed conflicts are protracted and lessons from past peace talks can be both positive and negative.

Talks between the FARC and the government of President Belisario Betancur in the early 1980s led to the FARC's ill-fated attempt at creating a political party, the Unión Patriótica, which proved to be catastrophic. More than 3,000 of its members were killed by right-wing paramilitary groups. This cast a dark shadow over future peace talks, and the decimation of the Unión Patriótica has remained a deep wound. Having the necessary

security guarantees was essential to have the first meeting with government negotiators. The International Committee of the Red Cross played a crucial and discreet role in terms of security and logistics.

The presence of multiple armed groups makes commitment problems even more challenging. Demobilised fighters can fall victim to other active armed groups. But there can also be a 'mirroring effect' between peace processes. The ELN saw advances and difficulties in implementing the 2016 agreement with the FARC as indicators of the level of political commitment of the Colombian government, or the lack of it. The killing of 181 FARC members since the signature of the 2016 agreement has compounded ELN mistrust of dialogue with the government, in relation either to adequate security guarantees or their political future.

Conclusion and recommendations

Peace process support needs multiple strategies to engage both state and non-state conflict parties and to encourage coherence within them. The case of the FARC and the Colombian government helps unpack what it takes for parties to shift their approach from fighting to talking.

Understanding when to encourage a move to dialogue requires looking out for key military and political indicators of 'pain' being suffered by the conflict parties. Military costs tend to be more obvious, such as the loss of territory or troops, the killing of key leadership figures or mass desertions. Political costs are sometimes harder to spot but in Colombia have been linked to instances of significant change: shifts in leadership or discourse; allies changing their positions; economic shifts; generational changes within armed groups; and major shifts in public opinion or mobilisation for peace. Security is often paramount, especially for non-state armed groups. It is important to ensure that measures to guarantee security and the implementation of any potential accords are addressed in exploratory phases of dialogue.



Support for early dialogue needs to help create space for the peaceful expression of a wide range of political views. External actors can play important roles to encourage shifts in strategies away from violence through generating cogent political analysis to inform authentic and effective response strategies. Accompaniment and other forms of peace practice can help to build and sustain pro-peace constituencies within armed actors, for example encouraging cohesion between political and military wings and institutions, and to extend their relationships with wider society.

While peacemaking sometimes struggles to keep pace with new challenges, civil society actors are often innovative in finding ways around them. At a time when peace in Colombia seemed very remote, the Colombianos and Colombianas por la Paz public letter exchange succeeded in convincing the FARC to reconsider their hostage policy. Their subsequent renouncement of kidnapping as a war tactic became an important marker of commitment for

the government, helping to open dialogue pathways. So, encouraging people who open up spaces and platforms to engage otherwise isolated actors is essential.

Similarly, the campaigns led by Colombian human rights organisations to raise awareness of extra-judicial executions committed by the Colombian army were influential in disrupting the FTA between the US and Colombia, which in turn positively affected the Colombian government's strategic calculations regarding dialogue. Thus, support to civil society actors undertaking research and analysis is a critical element of supporting pathways to peace.

Early dialogue between conflict parties needs to be fostered on a range of levels: *between* and *within* each party; and in their relationships with their constituencies, allies and the broader public. In armed conflicts involving a number of armed groups, the path taken with one will deeply influence the pathway with another positively or negatively, as either 'light' or 'shadow'.

PATHWAYS FROM FIGHTING TO TALKING: BARRIERS AND GATEWAYS

▲ Enabling factors
▼ Inhibiting factors

Conflict transformation



Conflict protraction