In a context of spiralling internal war in Colombia, there have been three attempts at negotiations between the government and the Revolutionary Armed Forces of Colombia (FARC) during the last twenty years. The failure of these negotiations has revealed the clash between the radical demands of the FARC and the inflexibility of the sectors controlling the country’s economic and political power. However, a review of these experiences suggests that possibilities for a political solution to the internal conflict continue to exist. For this to happen several minimum conditions must be met, namely: i) the emergence of a third socio-political actor who can sustain pressure for peace through dialogue; ii) the overcoming of the militaristic aspirations of both parties; iii) the critical revision and improvement of the two models of negotiations used until now, and iv) international accompaniment.

This article analyses each of the models of negotiation that have so far been tried with the FARC (the ‘dialogue without negotiation’ model and the ‘negotiation in the midst of war’ model). It highlights some of the lessons relevant for a future negotiation process and argues for the adoption of a ‘national constituent pact’ model.

**First round of talks: 1984–89**

The Belisario Betancur administration initiated the search for a negotiated solution to the internal armed conflict in 1982. It launched a peace pact addressing both “the objective and subjective factors” and declared a widespread amnesty. It created a 40-member Peace Commission representing a broad spectrum of social and political sectors, with the task of initiating contact and dialogue with diverse social sectors, including the insurgency, and presenting alternatives for examination by the executive and other public bodies. The municipality of Uribe was demilitarized and later became the meeting zone for encounters between the Central Command of the FARC, represented by Jacobo Arenas, and the Peace Commission.

In the first round of talks, the commissioners insisted that the FARC condemn the practices of kidnapping and extortion. The FARC insisted that any accord include the following commitments by the government: to modernize the political institutions, enable agrarian reform, facilitate the mobilization of campesinos and indigenous groups, strengthen education, health, housing and labour policy, establish a policy of public order under the sole control of the institutional forces of the state and initiate reconciliation processes. The talks resulted in the *Uribe Accord*, signed on 28 March 1984, which included initial agreements for addressing all the above issues and the establishment of a bilateral ceasefire. A National Peace and Verification Commission
was formed by presidential appointment, with nine regional commissions to support its work. Its task was to monitor the fulfilment of the commitments and to support the next steps of the peace process.

In this context and as part of a programme of democratization, the FARC concentrated its efforts on the launch of the Patriotic Union (UP) as its political wing. It aimed to boost its legislative influence and potential alliances with urban worker, middle class and ‘nationalist business’ sectors. At the same time the organization dedicated itself to its military consolidation within an eight-year plan. The Betancur government believed that the creation of the UP and the ‘democratic opening’ would serve as the most effective way to draw the FARC’s interests into the legal sphere.

However, the modernizing drive of the Betancur government did not go further than the drafting and approval of legislation for the popular election of mayors and a statute on parties. The Congress, his own party, the country’s important economic groups and the military failed to support the President’s peace efforts. The Uribe Accord did not represent a national consensus on the political settlement of the conflict. Consequently, the Peace and Verification Commission gradually became a body without real power and at best an organization for ‘good offices’. The government’s weakness, already exacerbated by the M-19’s violent attack on the Palace of Justice, was compounded by a fiscal crisis and the adoption of IMF structural adjustment programmes. In an attempt to overcome his political isolation, Betancur accepted a new agreement with the FARC in March 1986, confirming the continuity of the Uribe Accord and in particular the ceasefire.

The accords were received by the administration of Virgilio Barco as an inconvenient inheritance that it was unable to advance towards strong and lasting agreements. Although neither side announced a formal end to the ceasefire, communication between the parties seriously deteriorated after a FARC ambush at Puerto Rico (Caquetá) in June 1987, in which 26 military personnel and one civilian died. Furthermore, the ceasefire was violated not only by confrontations between the guerrillas and the military but more importantly with regard to the unarmed militants of the UP. Some 3,000 of its members (including its leaders, councillors, unionists, agrarian leaders, parliamentarians and two presidential candidates) became the victims of a systematic
campaign of elimination at the hands of paramilitaries and the death squads, the objective of which was the annihilation of UP as a political force. This was a consequence of the intransigence of the reactionary right, but also the result of the combination of means of struggle (legal and armed) pursued by sectors of the left. It would have a significant impact of the dynamics of the conflict, increasing the FARC’s scepticism of politics and negotiations as an alternative to the armed struggle, and resulting in a shift in the balance between the political and military wings of the organization.

The FARC responded to the Barco government’s proposal of ‘reintegration into legality’ with further military development and with demands based on the Uribe Accords. It also requested initiatives such as the formation of a Commission of Notables, a ‘patriotic national coalition’ government, and support for citizens’ initiatives for a Constituent Assembly. Ultimately, however, this dialogue of the deaf faded into the background, as the administration’s attention centred on talks with other guerrilla groups.

**Talks and negotiations in Caracas and Tlaxcala 1991–92**

In the early 1990s, the FARC, ELN and EPL revived the Simón Bolívar Guerrilla Coordination Body (CGSB) and worked on developing a common position for negotiations. At the same time, the Gaviria government focused its efforts on reaching agreements with some of the other guerrilla groups and on the installation of the Constituent Assembly. The international context (namely the end of the Cold War and the peace processes in Guatemala and El Salvador) fed the government’s belief that a strategy combining military pressure with partial democratization, including the Constituent Assembly, would force the CGSB onto the defensive and oblige it to either seek reintegration or face marginalization.

The army’s unexpected bombing of the headquarters of the talks in Uribe in December 1990 illustrated and deepened the mistrust between the parties. Following the taking of the Venezuelan Embassy in Bogotá by three members of the CGSB, exploratory talks were held in Cravo Norte (Arauca). These were succeeded by meetings held for the first time outside the country, without the precondition of a ceasefire – representing a shift in the government’s strategy.

Four rounds of talks were held in Caracas from June to November 1991. In the first round the parties identified the issues that would form the negotiating agenda: the relationship of the talks to the Constituent Assembly; state, democracy and conditions for political activity; the dismantling of paramilitary groups; justice and impunity; human rights; national sovereignty and natural resources; socio-economic democratization; a ceasefire formula; and the verification of the process.

With the parties unable to reach an agreement on the conditions for a ceasefire, the second round of talks focused on ceasefire verification mechanisms, international monitoring and possible confidence-building measures. The talks were suspended to let the parties consult on the conditions necessary for a ceasefire, during which time there was an intensification of military confrontations.

The third round of talks was held from 4-30 September and was characterized by the entrenchment of the government’s position. Still without consensus on the conditions for a ceasefire, the parties managed to reach an agreement on procedural issues. Both issued statements and the talks were suspended for a week of consultations. However, the government subsequently interrupted the talks in response to an assassination attempt on Aurelio Irarrazábal, the President of Congress before being dismissed by the Constituent Assembly.

The fourth round of Caracas talks (30 October – 10 November) focused on evaluating progress in the previous rounds and resulted in a memorandum of commitments containing the points of agreement and the remaining disagreements.

The talks recommenced in March 1992 in the holiday resort of ‘La Trinidad’ in Tlaxcala (Mexico) and continued until June. Initial agreements on changes to the order of the agenda were frozen following the kidnapping and murder of the former Liberal minister Argelino Durán Quintero by the EPL. In addition to this, the disappearance and death of Daniel García, diplomatic emissary for the FARC, set off a chain of mutual recriminations. These culminated in a joint declaration formally suspending the talks. There were a further two failed attempts to restart dialogue in April and May.

The breakdown of the talks was followed by the Gaviria administration’s declaration of an “integral war” against the guerrillas. Paradoxically this was announced by Rafael Pardo, the first civilian Defence Minister since the period of La Violencia and a former government peace negotiator. During the Samper administration, initial attempts to formulate a new model of negotiations floundered due to the political crisis created by accusations that drug money had financed the president’s campaign. The only negotiations that took place in 1997 were humanitarian negotiations on prisoner exchanges.

The Pastrana administration’s peace policy developed amid the expansion and degradation of the war. These conditions resulted in popular mobilizations, culminating in 10 million votes for the Mandate for Peace in October 1997, forcing the prioritization of a policy of peace talks.

The talks during the Pastrana administration differed from previous negotiation models. The new model could be called an ‘agreement on reforms for a new state’, allowing for progress “towards a new Colombia, through political, economic and social change that would create a consensus for the construction of a new state founded on social justice, conserving national unity” (La Machaca, 6 May 1999). It was accepted that dialogue and negotiation should progress in the midst of military confrontation, with the exception of a demilitarized meeting zone comprising five municipalities (42,000 km square). The model also initiated the organization of ‘public hearings’, transmitted by television, in which more than 25,000 delegates participated and in which proposals from the different groups and social sectors were presented. It included the participation of civil society in a Thematic Committee, created by the parties to contribute ideas to the negotiating table. It also featured the signing of an agreement supporting the process by the political parties and representatives of economic associations. Finally, it included the participation of European and American government representatives as observers or facilitators, as well as representatives of the UN Secretary General and various UN agencies.

The negotiation agenda defined in May 1999 incorporated 12 issues and 48 sub-issues. These included human rights, agrarian policy (the distribution of lands bought with drug money and the substitution of illicit crops), natural resources, the revision of the economic and social development model, reform of the Justice system and the state, accords on International Humanitarian Law (IHL), the redefinition of the peacetime role of the armed forces, and international agreements and the democratic mechanisms legitimizing these. There were dynamics that helped advance the process and build trust among the FARC and government representatives, such as the FARC ceasefire during Christmas and New Year in 1999/2000, and a visit to Europe to learn from other experiences and secure support for the peace process. One of the dynamics that weakened the process was the limitation on civil society participation, as seen in the delay in launching the ‘public hearings’ and the dense format used in these, as well as the belated revitalization of the National Peace Council by the government.

The protagonism of President Andrés Pastrana was central to the process, not only in his pre-election contacts that generated the dialogue and negotiation process, but also in the role he played in moments of crisis. This was the case in early May 1999 when he travelled to the demilitarized zone to meet with Manuel Marulanda and develop with him the start of formal negotiations on the basis of a common agenda. Similarly on 8–9 February 2001 he met again with Marulanda to attempt to unfreeze the talks. On this occasion the Los Pozos Accord was signed. It established agreements on how to advance the process, in particular through the creation of a commission of distinguished citizens (Comisión de Personalidades) to make recommendations to the negotiating table, agreement on a humanitarian accord, and the promotion of greater participation by the international community. On 2 June, a humanitarian accord was signed, formalizing the exchange of 42 military personnel with health problems for 15 imprisoned guerrillas also with health problems. Afterwards the FARC unilaterally released 242 soldiers and policemen.

But emerging tensions revealed the difficulty of maintaining the support of the large business groups and traditional power holders for a negotiation model that proposed commitments on changes to ‘a new Colombia’ and a ‘new state’ before dealing with the question of demobilization and disarmament, and even before agreeing on a definitive end to hostilities. This was compounded by the rejection by certain sectors of society of the existence of a large demilitarized zone, which while it might have been a neutral territory for dialogue, was also a strategic territory for the FARC. Moreover, the perception of a prolonged talks process in the middle of the cruelty of the war, without any obvious results, deepened frustrations. The disjuncture between the rhythm of the talks and the expectations of a mobilized society translated into an increasing pressure for advances on humanitarian accords and an end to hostilities. The Pastrana government lost support and the process wasted credibility with the population as military actions and violence perpetrated against the civilian population continued.

In this context, a rapid change in military relations occurred. While the guerrillas continued a slow numerical growth, the paramilitaries multiplied and achieved supremacy in important agricultural, cocoa and oil areas and in strategic corridors for drugs and arms trafficking, including some urban centres. At the same time, government security forces increased the number of professional soldiers and re-equipped with modern technology with US help through Plan Colombia. Moreover, international attention to the ‘war against terrorism’ led to the anti-drug war being placed at the
service of counter-insurgency. Within the government and the armed forces, the influence of those sectors opposed to a negotiated solution increased, and they demanded military offensives and the political isolation of the guerrillas inside and outside the country. In the eyes of those in favour of a military solution, the global anti-terrorist alliance, elevated to an international strategy for the defence of the state, seemed to be the missing factor that would force an inflexible insurgency to retreat and prevent a risky negotiation including substantial changes and subject to guerrilla approval.

Against this background, the Comisión de Personalidades presented its recommendations on how to continue the negotiations on 19 September. The parties signed the San Francisco de la Sombra Accord on 5 October, based on these recommendations. This pre-agreement constituted the most advanced progress in twenty years of searching for a peace accord with the FARC, establishing the basis for redesigning the agenda for a political solution to the conflict. Yet paradoxically it was at this moment that the negotiations had reached the lowest point in terms of political backing.

From this moment on circumstances rapidly moved towards the definitive breakdown of the talks, with the demilitarized zone constituting the central focus of tension. The murder of the former minister Consuelo Araujo Noguera seriously increased the levels of tension between the parties, compounded by increasing pressure from the United States. The US government labelled the FARC the most dangerous terrorist group in the hemisphere and requested the extradition of some of its leaders on charges of drug trafficking.

Despite the international efforts, in particular the work of the special representative to Colombia of the United Nations Secretary General (Jan Egeland until 13 November 2001 and later James Lemoyne) the parties did not succeed in bringing their positions closer together. The decisive date emerged as 8 January 2002: the end of the extension of the demilitarized zone. Having failed to achieve an agreement, Pastrana prepared to give the order for the military to enter the zone. A dramatic intervention by James Lemoyne, representatives of the Church and the international community managed to keep the negotiations alive as the FARC declared that there existed guarantees to continue with the negotiations. Agreement was reached on a written timetable to establish a ceasefire before 7 April. However, the FARC's hijacking of a plane with Senator Jorge Gechem Turbay onboard led the government to break off the negotiations and begin the military reoccupation of the demilitarized zone.
So the political class, with national and international support, regrouped around the formula proposed by Uribe Velez. This reintroduced the old schema of only offering to agree demobilization and reintegration based on military weakening of the insurgency, now declared to be terrorists and drug-traffickers. For their part, the FARC, faced with the crisis in the talks, were incapable of understanding the change in circumstances, and wasted opportunities to bring forward a ceasefire and end to hostilities, and with that an adjustment to the agenda and the functioning of the demilitarized zone.

The promise made by President Uribe to defeat the guerrillas and drug trafficking by 2005 on the one hand, and the demands by the FARC for two demilitarized departments as a condition for returning to the negotiation table on the other, illustrate how polarized the situation has become and highlight the difficulties involved in establishing a new round of dialogue.

Some lessons for a future round of talks
This long history of experiences suggest a number of recommendations directed at propitiating a politically negotiated solution with the FARC. Many are equally relevant to a future process with the ELN.

Firstly, it is necessary to revise and improve the models of negotiations to develop a 'national constitutional pact'. This new model would entail the adoption of an agenda of substantive reforms for the country, but overcome the bottlenecks of the previous models, in particular with regard to a ceasefire as a precondition for the negotiation of substantive issues, and the broad participation of sectors set to benefit from the planned reforms. These reforms should then be institutionalized through a constituent congress. A constituent perspective is needed, enabling the inclusive participation of a mobilized society (which must involve amongst others the civil resistance movements, the multiple social movements and the independent political forces) and a media committed to the construction of peace.

It is also important to learn at a procedural level from the previous failed experiences. The new framework must recognize the invalidity of recreating the demilitarized zone, without clear controls and rules, and even less so in the broad terms that the FARC is now demanding. Perhaps it would be possible to try out one or more meeting zones, demilitarized for short periods of six months and including mechanisms for guaranteeing security and avoiding military advantages for either side. Similarly, the possibility of holding negotiations abroad should not be discounted, as attempted with the ELN. However, beyond the problem of a demilitarized zone it is fundamental to address the problem of a ceasefire as a condition for negotiations. As recommended by the Comisión de Personalidades it is necessary to explore alternatives at this level that do not generate military advantages for either side. Furthermore, there must be consideration of incentives capable of inspiring FARC confidence in possible demobilization following the massacre of the UP. Without the de-activation of the paramilitary groups and a clear security strategy for former combatants, it will be hard to generate motivation for a peace agreement that brings with it such risks.

A future peace process would also need a clear strategy to address economic factors 'oiling' the conflict, in particular the resources from drug trafficking and external support for the conflict. Whilst both the guerrillas and the paramilitaries continue feeding the dynamic of the conflict with these resources, it is unlikely that they will be interested in a negotiation process that implies an end to this business. And whilst Colombia is considered 'centre stage' in the global war on terrorism and drugs, this will stimulate militarist positions within the establishment.

Regional and local dialogues could generate progressive special humanitarian accords for the application of the norms on IHL, the protection of the civilian population and the reduction of the conflict's intensity, and could serve as bridges on the road to re-establishing the search for a political solution to the conflict, as well as having an inherent value.

A new process must clarify and articulate the international community's role. The United Nations must confirm that it can play a real role in facilitating the return to negotiations. This should complement the initiatives undertaken by both the international 'Friends of the Process' and the neighbouring countries affected by the conflict. This international role must not undermine the good offices of the diverse sectors of Colombian society, nor prevent contacts between authorities and guerrilla spokesmen for humanitarian purposes at regional and local levels.

Finally, all these efforts should start from the premise that alternatives for confronting violence can be found in expanding democracy and solidarity, in the exercise of justice and the battle against impunity, in strengthening the mobilization and organization of the pro-peace social and political alternatives, and in the definition of a model of sustainable and inclusive development.