

Colombia, ¿hacia la Paz Total?

Resumen:

La historia de Colombia se encuentra marcada por la violencia y los condicionantes geográficos del país. Estos dificultan la plena instauración del Estado en el territorio nacional, lo que, asociado a una muy desigual distribución de la riqueza y a dificultades para el acceso a la propiedad de la tierra, explica la pervivencia de movimientos guerrilleros y narcotraficantes en el espacio rural. No en vano el país puede producir hasta el 70 por ciento de la cocaína del mundo.

Los Acuerdos de 2016 supusieron la desmovilización de las FARC, pero permitieron que su espacio fuera ocupado por grupos de delincuentes y otros grupos guerrilleros, que hasta han incrementado la producción de cocaína. En este contexto el presidente Petro apuesta por una paz, la Paz Total, que atienda a los problemas estructurales del país. Un reto de gran envergadura que requiere de un importante capital político.

Palabras clave:

Colombia, Paz Total, narcotráfico, cocaína, guerrilla, FARC, ELN, Clan del Golfo.

The 2022 election of Gustavo Petro Urrego, a member of the left-wing coalition Pacto Histórico, as president of Colombia, replacing Iván Duque, made a former guerrilla the country's leader. In his youth, the new president had been a member of the M-19 group, for which he had even been imprisoned. The proposal of his political party, Colombia Humana, is a pragmatic post-capitalism which, beyond appeals to the socialist path, allows the country's situation and its backwardness to be overcome.

The strategy to achieve this end has until now been embodied in Law 2272 of 2022 - which amends and extends part of Law 418/1997 on Public Order - and in the National Development Plan 2022-2026, approved in May 2023 after a complex process initiated shortly after Petro's appointment. However, new enabling legislation, such as the so-called "Law of Submission", has not been able to pass through the parliament.

This is a comprehensive proposal, the core of which is a coherent fight against violence consistent with the steps already taken. Violence is thereby consigned as the national problem. In fact, because of its transformative capacity, by the time the 2016 Peace Accords were signed, there was no longer a link between what had triggered the conflict, its original causes and the reasons for its perpetuation, only with the dynamics of it, i.e. violence¹. The phenomenon, the manifestation, had thereby been transformed into a cause. The outcome is a culture wherein violence is an almost ordinary resource: for example, Mother's Day is usually the most violent day in the country.

The Colombian conflict, nonetheless, is rooted in structural issues. This has successively mutated and altered the agendas of the contenders and, with it, the eventual balances. However, in the media the plan as a whole - and perhaps inappropriately - is referred to as Total Peace, ignoring the relevant elements underlying it.

The negotiations that have taken place since the 1990s have led to iterative processes of violence reduction. All six governments between 1997 and 2022 have formulated the problem in reverse and used the word *peace* or a positive equivalent: Ernesto Samper (1994-1998) called his proposal Integral Peace and Useful Dialogue; Andrés Pastrana (1998-2002) proposed a peace based on facts; Álvaro Uribe (2002-2010) called his policy

¹ BEN AMI, Shlomo. "Colombia: dilemmas of the transition from war to peace", in VV. AA, *Cuadernos de Estrategia (El posconflicto colombiano: una perspectiva transversal)*, no. 189. Instituto Español de Estudios Estratégicos, 2018.

Democratic Security; Juan Manuel Santos (2010-2018) wanted to build a Stable and Lasting Peace; Iván Duque (2018-2022) called it Peace with Legality; and Gustavo Petro (2022-2026) has called it Total Peace or Total and Integral Peace².

The latter's proposal incorporates and assumes as its first premise a defence of the agreements reached in 2016 between the Santos government and the FARC-EP. This is because when an agreement is reached, a difficult balance is struck, one that is underpinned by such complex interactions that upsetting it can mean a return to war. However, it is the future and the will of the disputants - let's call it the music - and not so much the text of the agreement - the lyrics - that determine its validity.

Agreements incorporate their own contradictions and, in global terms, even increase them. To this effect, while in the last decade of the 20th century several peace agreements were signed with the guerrillas, a kind of paramilitarism developed. In the case of the 2016 agreement with the FARC-EP, this has given rise to a resurgence of criminal gangs that has turned them into warring actors and has increased cocaine production.

To give an idea of the magnitude of the conflict in question, the *Statista* portal recorded 450,000 deaths, 7.5 million displaced persons and 121,000 missing persons between 1985 and 2018³. For its part, the National Centre for Historical Memory reported 220,000 deaths between 1985 and 2012, of which 40,787 (18.5%) were combatants and the rest civilians (81.5%). Therefore, only two out of ten of those killed were directly involved in hostilities⁴.

To this should be added the fact that the Single Registry of Victims classifies 8,332,081 people as such, of which 4,135,870 are women, 4,133,476 are men and 2,149 are LGBT⁵. This means that women represent half of all victims, pointing to the need for gender-sensitive peace.

² VALENCIA AGUDELO, Germán Darío. "La Paz Total como política pública", *Estudios Políticos*, no. 65. Medellín, September-December 2022 (Epub, 27 April 2023). Available at: <https://doi.org/10.17533/udea.espo.n65a01>

³ GÓNZALEZ MARTÍN, Andrés. "Peace in Colombia is only apparent", in VV. AA, *Cuadernos de Estrategia (El posconflicto colombiano: una perspectiva transversal)*, no. 189. Instituto Español de Estudios Estratégicos, 2018.

⁴ FERNÁNDEZ-MATOS, Carolina Dhayana and GONZÁLEZ-MARTÍNEZ Nohemí. "La paz sin las mujeres ¡no va! El proceso de paz colombiano desde la perspectiva de género", *Revista CIBOD de Afers internacionals (La construcción de la paz: Colombia como espejo internacional)*, no. 121. July 2019.

⁵ *Idem*.

For its part, and using data from the Historical Memory and Conflict Observatory of the National Centre for Historical Memory, the Commission for the Clarification of Truth, Coexistence and Non-Repetition reports that in the period between 1961 and 2021, there were 8 million victims (around 16% of the population) and 4,302 massacres⁶, of which 49.5% were carried out by paramilitary groups, 18.4% by guerrillas, 11.9% by unidentified armed groups, 6.4% by state agents and 2.2% by demobilised groups. In addition, during the same period, 154,173 people were victims of targeted killings, 43% of the perpetrators being paramilitary groups, 15.9% guerrillas and 3.5% state agents⁷.

For its part, the Special Jurisdiction for Peace has documented 6,402 cases of so-called false positives, i.e. murders carried out by state agents and presented as combat casualties. In terms of enforced disappearances, 68,602 people have disappeared, almost three times as many as during the Argentinean dictatorship. In addition, since 2018, 930 social leaders have been assassinated, of which 126 were women and 245 were signatories of the Peace Agreement⁸.

The prolongation of a conflict such as this one can only be explained by factors inherent to Colombia's political, social and economic structure: the weakness of the nation state, unable as it is to take control of the territory; a population living in economic and social marginalisation; and the lack of prepared elites⁹.

Obedying the structural logic that generates the problem, Petro's integral proposal is structured around *human security*, which makes life the determining element. This concept appeared for the first time in a 1994 UNDP report and places the focus of valuation on the person, on their human dimension, also linking security, development and human rights. Consequently, survival, dignity and livelihoods are combined, and the economic, food, political and environmental levels are being reached in greater measure than any simplistic community-based approach.

⁶ The Indepaz Observatory defines a massacre as "the intentional collective homicide of three or more persons protected by International Humanitarian Law (IHL), and in a state of defencelessness, in equal circumstances of time, manner and place".

⁷ PASTRANA BUELVAS, Eduardo and VALDIVIESO COLLAZOS, Andrés. "Colombia in the face of Gustavo Petro's Total Peace: Historical precedents, challenges and expectations" (Working Paper, 73/2023) Fundación Carolina.

⁸ *Idem*.

⁹ RODRÍGUEZ PINZÓN, Erika María. "Los cambios discursivos sobre el conflicto colombiano en la postguerra fría: su impacto en la actuación de los actores locales", in CAIRO CAROU, Heriberto y PASTOR VERDÚ, Jaime (comps.), *Geopolíticas, Guerras y resistencias*. Trama, Madrid, 2006., p. 78-79.

So, by aligning structural problems with the problem of violence, Petro's strategy also uses the agreement to promote the political, social and economic transformation of the country, and increase the legitimacy of the state and its institutions in the process. This is a huge task, and one with multiple solutions.

The political logic underlying the war means that, paradoxically, the solution incorporates the further development of one of the parties: the state. This development, moreover, is demanded by the other contender, even if it favours or promotes its transformation.

The absence of the state in large parts of Colombian territory facilitates its supplanting and explains the guerrilla and organised crime. This makes territorial reintegration, in its physical, institutional and socio-economic dimensions, the linchpin of any eventual peace. All this goes hand in hand with a democratic pedagogy, intellectually, and the development of infrastructures that allow it, physically¹⁰. By turning the problem around, we have the solution: infrastructure, education and territorial integration.

This logic is not about seeking economic solutions to conflict, but simply about pursuing the policies that the country needs, regardless of whether or not there is a conflict. Peace and development policies are therefore intertwined, and managing this complexity requires great political skill.

Moreover, as Shlomo Ben Ami highlights, not only is it impossible to know what the preconditions for peace are, but it is doubtful that an illegal armed group - let alone one engaged in purely criminal activities - would be willing to lay down its arms simply because policies for development and greater social equity have been put in place. In any case, development policies have served the insurgent groups as the pretext - the silver bridge - they needed to lay down their arms when the conflict had long since lost its political rationale and entered a military drift. And policies must also be implemented, peace or no peace.

In short, the civil wars of this century have lasted ten times longer than conventional wars¹¹. Violence makes any negotiated end difficult and, when unleashed, causes conflicts to drag on for an unreasonably long time. In this case, at least 52 years. Moreover, no war - least of all a civil war - ends just because the violence is over. An

¹⁰ BEN AMI, Shlomo. *Op. cit.*

¹¹ GÓNZALEZ MARTÍN, Andrés. *Op. cit.*

undefined post-conflict phase - a term that is defined against the conflict and denotes a period during which violence persists - is needed, the duration of which can vary but tends to be longer the longer the conflict lasted.

The fact that there has been no regression in the post-conflict period - which will continue to drag on, and not for a short time - is not only thanks to the solidity of Colombian institutions and the guarantees agreed in 2016, but also to an economy that appears to be the invisible factor and the cornerstone of the whole situation. However, there is still a need for a strong focus on building a social fabric, and on the recognition and reparation of victims. Without it, peace will not be sustainable.

But there are other no lesser and more immediate dangers. To this effect, with the FARC's demobilisation, its capacity to supply the state - as opposed to just the security forces - where the state could not reach also disappeared. The result is a power vacuum. Since the FARC agreement, the map of Colombia has therefore been affected by the alteration of the *status quo*, and all this when the illegitimate contenders count on the economic engine of drug trafficking in a country that produces 70% of the world's cocaine¹².

Another key concept in line with the above is that of a *culture of peace*. It takes up an idea expressed by the United Nations General Assembly in a 1997 resolution, which UNESCO would endorse, proclaiming 2000 as the International Year for the Culture of Peace. A new resolution, only a year later, addressed the issue.

So, in contrast to the concept of *total* or *integral war* launched by General Von Ludendorff in the inter-war period, President Petro has proposed Total Peace, organising the entire political proposal of his mandate on this basis. By this we mean that a theoretical model has been proposed as a political and action model. The culture of peace has moved from theory to practice. The key question is whether such an ambitious and relevant proposal is realistic, and whether it will work. I can say with certainty that the theoreticians are in favour of it, so what is required is the political capital to implement it.

Utopia is necessary, essential, a vantage point from which to look to tomorrow; realism formulated from a pretended, crude and agorist pragmatism often prevents us from really overcoming the present, and by renouncing it we are making the present the future. And

¹² PHELAN, Alexandra. "Engaging Insurgency: The Impact of the 2016 Colombian Peace Agreement on FARC's Political Participation", *Studies in Conflict & Terrorism*, vol. 42, no. 9. 2019, p. 836-852. Available at: <https://doi.org/10.1080/1057610X.2018.1432027>

the plan is utopia with science. Those who aim the highest, up to a certain limit, go the furthest. Finding this point, and maximising the result, is the real challenge.

Currently in its early stages of formulation, President Petro's programme makes major structural transformations and aims to contain growing violence. But it is about more than that; it is about overcoming the past and reconciling Colombians: "Without forgiveness there is no reconciliation. If the country has lived through decades of violence, the only way to heal the wounds is through immense global forgiveness. Social forgiveness is a historical process involving restorative justice and truth"¹³.

However, the programme has been widely contested because of the stakes involved, the uncertainties it creates and the risks it takes. And this at a time when the president's political position has been called into question because of corruption scandals affecting his family, and because of increased violence and social problems.

The structural underpinnings of the Colombian problem

Inequality and social justice

Napoleon said that the future of a country is written in its geography, and this is particularly true in this case. Colombia, a developed democracy - let us not forget this - with 51.52 million inhabitants in 2021 - 87% white and mestizo, 9% Afro-Colombian, 4% indigenous - is a country with a land area of 1,141,748 km², plus an extensive maritime area of 928,660 km².

¹³ GIORDANO, Eduardo. "Colombia in search of total peace: the peace talks with the guerrillas", *El Salto newspaper*. 23 March 2023. Available at: <https://www.elsaltodiario.com/colombia/colombia-busca-paz-total-conversaciones-paz-querrillas>

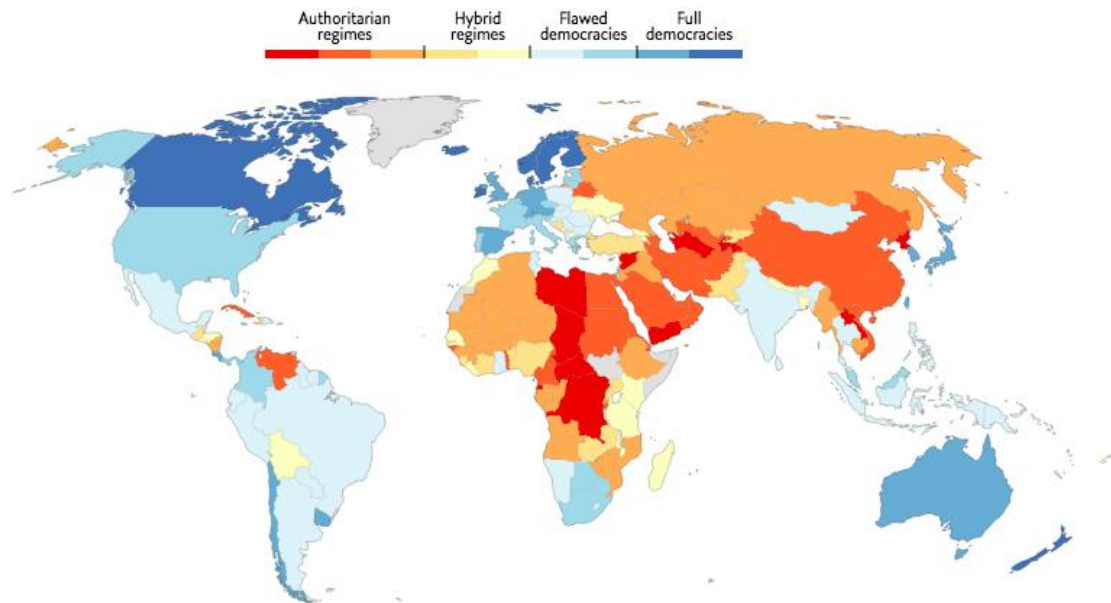


Figure 1. Global Democracy Index 2020
 Source: <https://iqlatino.org/global-democracy-index-2020-the-americas>

These human groups are not homogeneously distributed. Cauca and Valle del Cauca, two departments on the Pacific coast, are home to 30% of Afro-Colombians and 18% of the country's indigenous population, groups that are traditionally affected by poverty and inequality, calling for the ethnic approach committed to in the Peace Accords¹⁴.

This is a country with great biodiversity and abundant renewable and non-renewable resources (emeralds, copper, gold, platinum, nickel, iron, natural gas, coal and oil), as well as significant water wealth as the sixth country with the largest water reserves and a surface area of 2,132^{km2}. This is the subject of special attention in the Development Plan 2022-2026.

Having said that, it is worth recalling a World Bank study that details that the countries that derive more than 25% of their GDP from non-manufactured exports are four times more likely to have internal conflict than those whose economies are more diversified, such that "the more dependent a country is on mineral exports, the lower its human development index"¹⁵.

According to the World Bank's 2022 report, Colombia is the second most unequal country in Ibero-America, a region where the poorest 50% account for 10% of the income, such

¹⁴ MÍNGUEZ CARRALERO, David. "Colombia after the peace agreement: the collapse of security in Cauca and the Cauca Valley". Escuela Superior de las Fuerzas Armadas, May 2021.

¹⁵ MOLINERO HUGUET, Jorge. *Permanent global war*. Catarata, Madrid, 2005, p. 126.

that 27% of the population lives below the poverty line, while the richest 10% receive 55% of it. Moreover, the richest 10% of the population earns 11 times more than the poorest 10%. To this effect, it would take eleven generations for a family to escape poverty. This is ultimately the final outcome of a very unequal education among social classes.

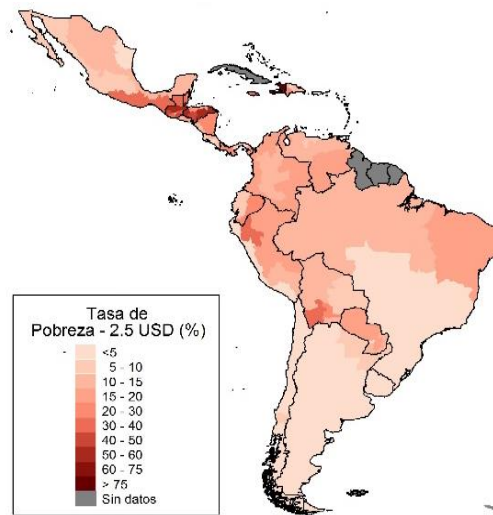


Figure 2. Poverty in Latin America and the Caribbean
 Source: SEDLAC (CEDLAS and World Bank).

Following this logic, barriers to economic opportunities persist for certain groups (including groups based on gender, ethnicity and geographic location). A Colombian woman is 1.7 times more likely to be unemployed than a man, an Indian receives on average two years less schooling than any other citizen and an Afro-Colombian is twice as likely to reside in a poor neighbourhood¹⁶.

And these indicators are also departmentalised: those on the Pacific coast have the worst social indicators and the most violence. There is a co-evolution of the two parameters. Education levels are also among the lowest in the country. The offer and access to schools and universities is limited, and they tend to be of low quality. Only 0.4% of schoolchildren in the area go to university - compared to 30% nationally - and yet there is a lack of places at local public universities¹⁷.

¹⁶ GÓNZALEZ MARTÍN, Andrés. *Op. cit.*

¹⁷ INTERNATIONAL CRISIS GROUP. *Latin America Report (Calming the Stormy Pacific: Violence and Governance on Colombia's Coast)*, No. 76. 8 August 2019.

The lack of institutional development has transformed Colombia's Pacific coast into the poorest region of the country. Chocó is not only the poorest department, but also the most unequal. Poverty rates of 59% - compared to 27% nationally - have worsened there by almost 15% over the last ten years¹⁸.

In general terms, and contrary to what was intended by the 2016 Peace Accords, poverty indicators in Colombia, be it the GINI index or the Multidimensional Poverty Indicators, have increased since the signing of the Peace Accords. Moreover, this increase has been even greater in rural areas. There is also a link between poverty and crime. And there is a need to provide a way out for guerrillas, i.e. people who are accustomed to the use of violence and base their economy on the development of criminal activities, and who also live in rural areas.

To this effect, the rural question in Colombia is not a minor problem. More than 15 million people live in the countryside. And Colombia is also considered the most unequal country in terms of access to land in the Americas, and the second most unequal in the world. Issues such as land reform - which may affect 30 % of the country's population - and farmers' access to land ownership underpin the conflict, the resolution of which is therefore linked to peace.

At this point, it is necessary to refer to the physical need for decentralisation, for the promotion of an administration based on the idea of subsidiarity, that is, one that can address Colombian diversity from a local level. Colombia is considered by many authors to be the most centralised country in Latin America. Decentralisation has been called for since the 1991 Constitution.

The fact is that political and administrative centralisation is linked to violence. Some authors have pointed out that for a long time the entire country has been governed according to the interests of four or five departments, without considering the interests of the rest, let alone those of the periphery, which has suffered neglect. This way of proceeding affects the rationality of the investments and their control, appropriateness and amount, which is manifested in the greater or lesser presence of the state¹⁹.

¹⁸ INTERNATIONAL CRISIS GROUP. *Op. cit.*

¹⁹ MÍNGUEZ CARRALERO, David. *Op. cit.*

Geographical determining factors

Colombia's geographical position is privileged, as its coastlines are not only bathed by two oceans, the Atlantic and the Pacific, but the country is also located in the middle part of the American continent, as a nexus between the Americas. Not surprisingly, until 1903 its territory extended as far as Panama, whose independence was supported by the US to build the canal.

However, the country contains the Amazon rainforest (32% of the country is occupied by jungles and forests) and is crossed by the Andes (in fact, 40% of the country's surface is mountainous), giving rise to a great variety of climates and ecosystems, but also making communications difficult. The highland valleys and plateaus - where most of the population lives - are separated by the Magdalena and Cauca river valleys. The Pacific coast is covered by dense, humid rainforests, while much of the Caribbean coast is covered by swampy or semi-desert land.

In fact, the country's relief is divided between the coastal plains to the north and west, the centre - occupied by the Andes mountain range - and the east, also made up of plains. This gives rise to five perfectly identifiable continental regions (Amazonian, Andean, Caribbean, Pacific Coast and Orinoco) and one island region (the islands not considered coastal), each of them unique. The Pacific region is one of Colombia's poorest and most peripheral regions.

Colombia is three times the size of Central America and has a strong state structure in the main cities (Bogotá, Medellín, Cali), which is diluted as it moves away from the developed urban centres, explaining the prolongation of guerrilla processes in its territory. Even within these cities, the presence and quality of the services provided by the state implicitly responds to a stratified social system²⁰.

²⁰ ARGUETA, Otto. "El narcotráfico es un asunto político en Centroamérica" in VV. AA. Repensando el tráfico ilícito de drogas en Centroamérica: un enfoque desde las ciencias sociales. FLACSO, 2020.



Figure 3. Map of Colombia by department
Source: Wikipedia

Another issue related to the above is the artificiality of the borders which, in many areas, are not determined by geographical features, but rather by lines established by means of latitude and longitude calculations. This is compounded by the instability of the demarcation line, as is the case with rivers since they alter their course relatively frequently.

Regions in western and south-western Colombia have consequently been under FARC control, using the jungle, humidity and terrain as a stronghold for their operations. The FARC also filled their ranks from the rural and indigenous population, who had a detailed

knowledge of the environment in which they were operating. And these conditions transcend and extend beyond the borders to enter neighbouring countries -Venezuela, Brazil and Ecuador- with the political difficulties this entails, especially when the governments have ideological affinities with these groups.

Despite their improvement in recent years, transport infrastructures (rail, road, river, maritime, etc.) in no way rise to the challenges posed by the country's geography and contribute to the relative isolation of some areas. Today, a shipment of goods from Hamburg to Cartagena de Indias costs a third of what it costs from Cartagena de Indias to Medellín in the same country²¹.

In fact, according to the World Economic Forum, Colombia ranks 104th out of 141 countries in the quality of its land transport infrastructure²². The nation needs a titanic infrastructure project on the level of the New Deal to achieve the integration of the national territory²³.

In addition, geographical conditions accentuate the inefficiencies and deficits in the representativeness of the political system, which in fact promotes a centralist system - in contravention of the 1991 Constitution - in a country with poor communications. As a result, a significant proportion of farmers and settlers feel abandoned by a system that excluded them in favour of oligarchic elites - controlling capital, access to property and resources - supported by central powers to which they had affinities²⁴.

As a result, the country has large regional imbalances. To quote Devia Ruiz, 70% of production originates in the four main capitals, which account for 35% of the total population. About 90% of taxes and 70% of expenditure come from 40 municipalities. Furthermore, there are important differences between municipalities: only 139 (13%) have a medium-high level of development, while 569 have a medium level of development (52%) and 389 have a low level of development (35%)²⁵.

²¹ GONZALEZ MARTÍN, Andrés. "Ibero-America and Spain Conference". Instituto Español de Estudios Estratégicos, 2019.

²² LA REPÚBLICA-COLPRENSA. "Infraestructura de transporte terrestre en Colombia sigue presentando atrasos", *El País*. 8 September 2022. Available at: <https://www.elpais.com.co/colombia/infraestructura-de-transporte-terrestre-en-sigue-presentando-retrasos.html>

²³ BEN AMI, Shlomo. *Op. cit.*

²⁴ PHELAN, Alexandra. *Op. cit.*

²⁵ MÍNGUEZ CARRALERO, David. *Op. cit.*

The lack of investment in the periphery not only means that these regions are disconnected and with reduced levels of development, but also facilitates the connection between areas of weak state presence and guerrilla and criminal violence. We are witnessing a process of centrifugation of violence, of its peripheralisation, that is, of the distancing of armed groups that leave the city for the countryside, settling in semi-isolated enclaves that are also disconnected from each other. This is particularly relevant in the north-eastern and south-western parts of the country²⁶.

We are facing a concurrence of polemological factors: poverty and inequality, lack of institutional presence, structural violence, and the entrenchment of both guerrillas and other armed actors, which jostle for power in an attempt to achieve some territorial control to facilitate their operations.

The violence

The homicide rate per 100,000 inhabitants gives us an indication of the level of violence in a country. A rate above 10 usually speaks of endemic violence, and when it is above 30, of conflict. In 2013, eight Ibero-American countries exceeded the latter level of violence.

According to UNODC, the homicide rate in the Americas as a whole in 2020 was 17.2 per 100,000 inhabitants, compared to 0.7 in Spain. Ibero-America has only 8% of the world's population, but 33% of the world's homicides. And one in every 10 lives lost happens in Central America and the Dominican Republic²⁷. Curiously, this trivialisation of violence undermines its usefulness as a political instrument by losing its newsworthiness.

In the case of Colombia, the rate rose from 24 cases per 100,000 population in 2014 to 27.2 cases in 2022, the second highest in the Americas and the highest figure since 2014. However, the figure was 77 in 2002, demonstrating the consolidation of a significant advance. Having said that, violence is very uneven by region.

²⁶ *Idem.*

²⁷ PNUD y USAID. *Análisis sobre la situación de violencia y seguridad ciudadana 1st semester 2020 (1s-2020)*.

History and violence

Colombia's history is a one marked by violence, beginning with the process that led to independence from 1810 onwards - the Patria Boba, Nariño's campaign in the south, the Reconquista and the War of Independence - and culminating in 1819. However, it was unable to maintain the integrity of the Viceroyalty of New Granada, from which Venezuela and Ecuador split. From 1839 to 1884, the country remained highly unstable, with a series of civil wars and coups d'état plunging it into a deep political, social and economic crisis.

Between 1839 and 1842, the first Colombian civil war took place, known as the War of the Convents because of its religious inspiration, or the War of the Supremes. Between 1848 and 1849, two political parties that would mark Colombia's history for the next 150 years emerged: the Conservative and Liberal parties, which were respectively committed to centralist and federalist policies. The civil war of 1860 to 1862, preceded by those of 1851 and 1854, would give birth to the United States of Colombia, which would last from 1863 to 1886. The Colombian-Ecuadorian War of 1863 and the War of the Schools (1876-1877) took place in this period.

Next came the Colombian civil war of 1884-1885; the Panamanian crisis with the US in 1885; the Italian blockade of Colombia between 1885 and 1889 over debt repayment; the Colombian civil war of 1895; the *Curuchupadas* (battle of Sanancajas) with the intervention of Ecuador; the Thousand Days War from 1899 to 1902; the aforementioned separation of Panama in 1903 by the US, the La Pedrera conflict in 1911 with Peru; the Colombian-Peruvian war between 1932 and 1933; and Colombia's interventions in the Second World War and in the Korean War, where it is well remembered.

In the 1940s, following the return to power of the Conservative Party, an attempt was made to put an end to the timid social improvements introduced by the liberals the previous decade, initiating violent pressure on the peasant communities considered to be the most conflictive with a view to forcing their exodus to the cities.

Special mention should be made of the period known as The Violence, which lasted from 1920 to 1960 and is usually divided into the Little Violence, between 1925 and 1928-1948, and The Violence proper, from 1948 onwards. This term identifies a conflict between the Conservative Party and the Liberal and Communist Parties. In 1948, the mayor of Bogotá and presidential candidate Jorge Eliécer Gaitán was assassinated. This is what is known

as the Bogotazo, leading to serious unrest in the city that spread to the rest of the country and ushered in an era of "social banditry".

To this effect, the so-called "independent republics" were born. In the Tolima area, Communist Party-influenced guerrillas emerged: peasants occupied land and created militias, an embryo of what would later become the FARC. The most emblematic case in terms of the levels of violence reached and its repercussions for the future is that of Marquetalia, considered to be the FARC's founding milestone. This self-managed production and defence organisation gave the peasants the security the state did not provide them vis-à-vis the advance of the latifundia. This organisational form was called "armed colonisation". The conflict resulted in between two and three hundred thousand deaths and more than two million displaced people.

As a result, in 1953, Lieutenant General Gustavo Rojas Pinilla staged a coup d'état to deal with the situation. In 1958, the National Front was created as an attempt to resolve the confrontation between liberals and conservatives, which led to a demobilisation of the liberal guerrillas in order to face the communist threat together.

The key to this period, which would mark the rise of the guerrillas, lies in political intolerance, land distribution problems and religious intolerance. This was compounded by weakness, the state's crisis of legitimacy, measures related to land ownership and peasants' demands. The situation was exacerbated by the leadership of the Communist Party and, above all, by foreign aid from the USSR, which contributed to the structuring of such movements by reinforcing their operability. The Cold War was thus transferred to the region in the form of *proxy* conflicts, i.e. conflicts that took place in the US's backyard, to which Che's *foquismo*²⁸ contributed.

As a result, more than twenty-five groups emerged, using violence to defend their policy proposals, although most of would disappear due to internal conflicts and conflicts among them. Likewise, the threat of communist guerrilla warfare in what the US considered its strategic environment would force first the establishment of the aforementioned military dictatorship, and then a pact between liberals and conservatives to confront this new emerging danger.

²⁸ This is a revolutionary strategy which aims to create guerrilla pockets in rural areas when there are no objective conditions for proletarian insurrection.

In 1964, the FARC, a movement within what is known as the first wave of insurgency in Latin America, was consolidated. The relevance of this guerrilla group, with a popular base and a certain indigenous bias because of its implementation, made it representative of all rebel groups and a symbol of the "Colombian conflict".

The FARC began with just over three hundred guerrillas, and the repression of Marquetalia as its founding myth. From 1982 onwards, the guerrillas managed to expand politically and militarily, gaining control of significant areas of Colombian territory. At its peak in 2002, it reached almost 20,000 troops.

Moving sociologically into this space, the 2017 census, conducted with the demobilisation of the FARC, amounting to some 10,015 people, sheds light on the demographic relevance of women and indigenous populations in the ranks of the movement during the guerrilla disarmament process. A total of 18% of the census identified as indigenous and 12% as Afro-Colombian. De facto, 3,003 identified as members of an ethnic group. Women made up 33% of the FARC's armed fighters, 12% of its urban and rural militia networks and 9% of its imprisoned members, for a total of 23%.²⁹

The founding purpose of the FARC was "to initiate a new stage of struggle and unity with all the revolutionaries of our country, with all the workers, peasants, students and intellectuals, with all our people, to promote the struggle of the great masses towards popular insurrection and the seizure of power for the people"³⁰.

The FARC's inconcrete ideology has undergone a process of mutation that has taken shape throughout its ten conferences. It has evolved from a Marxist-Leninist base, a natural result of the Soviet influence in its founding phase and its sympathies for the Cuban imprint, to embrace Bolivarian ideology and its populist models³¹.

In fact, the FARC understood the need to spread its political message and, as part of its strategy of using all available means of struggle, chose to take part in democratic political processes.

²⁹ PHELAN, Alexandra. *Op. cit.*

³⁰ ATAQUIVA GARCÍA, Germán Nicolás. "Final part of the political declaration of the Second South Block Conference. The FARC, its Origin and Evolution", *UNISCI Discussion Papers*, no. 19. January 2009, p. 161.

³¹ PHELAN, Alexandra. *Op. cit.*

Prior to the 2016 agreement, the FARC created two parties: the Patriotic Union (UP), which was launched in 1986 but whose leaders and militants were assassinated after taking part in a presidential election; and the Clandestine Colombian Communist Party (PCCC or P3C), which articulated the organisation's political message from its creation in 2006³².

In the 1960s, Fidel Castro seized power in Cuba and declared himself a communist. Shortly afterwards, he tried to export his revolution to the rest of Latin America, and in Colombia in 1962 left-wing students organised the ELN (National Liberation Army), with Castro's support and as an alternative to the Communist Party. This movement with Catholic roots came to be led by a Spanish priest.

Other less relevant actors subsequently appeared, such as the Popular Liberation Army (EPL). Founded in 1965, although it began military action in 1968, it was the armed wing of the Marxist-Leninist Communist Party of Colombia. At one point it was considered the third largest Colombian guerrilla group in terms of size³³.

In 1970, as a second guerrilla wave, the 19 April Movement or M-19 emerged in response to the fraudulent electoral process of that year. This urban group was heir to the populist movement of the 1950s led by General Rojas Pinilla but evolved towards more left-wing positions.

In 1974, democratic normality was re-established, and it was from then on that the problem of drug trafficking began to manifest itself in all its crudeness. In the 1980s, the progressive weakening of the USSR and the Cuban regimes deprived the guerrilla movements of both their ideological bases and their sources of funding, forcing the guerrillas to look to alternatives.

In parallel, and given the doubts about the success of the peace plan that President Betancur had launched in 1984 and the state's difficulties in maintaining the military effort against the guerrillas, the Cooperativas de Vigilancia y Seguridad Privada (Convivir), better known as "self-defence groups", were created under legal cover.

These armed groups, originally linked directly or indirectly to the state and its local agents, were formed or somehow tolerated by the state, but were outside its formal structure.

³² *Idem.*

³³ INTERNATIONAL INSTITUTE FOR STRATEGIC STUDIES. Armed Conflict Database.

They are real armies, and as such, they have a *de facto* structure similar to that of regular forces. Their conception was intended to respond to the needs of counter-insurgency operations - that is, direct confrontation against guerrilla groups - and also to support the security forces in such operations. Furthermore, their work has often been linked to the development of a kind of "social cleansing" process³⁴.

This initiative, which emerged from groups of the oligarchy and large landowners, meant the *de facto* privatisation of the counterinsurgency struggle, which increased its results through the recruitment of professional personnel trained in the use of military methodology. Therefore, with the acquiescence of the state, which benefited from their excesses without assuming the cost, the clandestine struggle of radical groups of the armed forces, which later became paramilitary forces, was given autonomy³⁵.

Over time, these paramilitary groups would acquire interests and even a life of their own, penetrating even further into criminality: their objectives changed, and they began to commit criminal acts, moving into the world of drug trafficking.

In 1997, nine self-defence groups united and founded the United Self-Defence Forces of Colombia (AUC). By 1999, they had become a veritable army that used violence to impose itself on the guerrillas, while recycling former cartel barons and increasing their connections with them. After the 2006 demobilisation, they were known as Clan del Golfo or as Autodefensas Gaitanistas de Colombia³⁶, a name under which they try to gain political legitimacy. And so, while the paramilitaries dominated the north of the country, the guerrillas dominated the south³⁷.

³⁴ MÍNGUEZ CARRALERO, David. *Op. cit.*

³⁵ GATICA BÓRQUEZ, Jorge. "Peace for Colombia... peace for South America?", *Security & Defence Panorama*. Centre for Research and Strategic Studies - ANEPE, August 2018.

³⁶ MÍNGUEZ CARRALERO, David. *Op. cit.*

³⁷ GATICA BÓRQUEZ, Jorge. *Op. cit.*

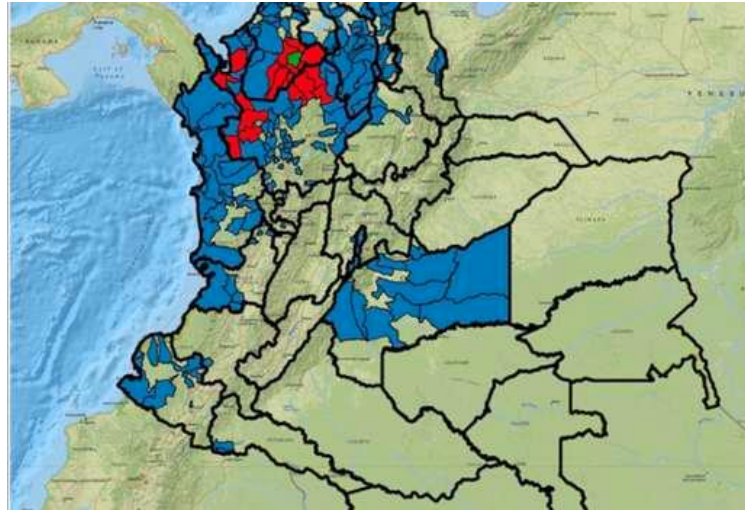


Figure 4. Geographical distribution of the Gulf Clan.

Source: PEACE AND RECONCILIATION FOUNDATION. "Clan del Golfo is the largest illegal armed structure in Colombia: Fundación Paz y Reconciliación", *El Espectador*. 15 September 2022. Available at: <https://www.elespectador.com/colombia/mas-regiones/clan-del-golfo-es-la-estructura-armada-ilegal-mas-grande-de-colombia-fundacion-paz-y-reconciliacion-articulo/>

As a result of the peace process promoted by President Uribe, in 2006 36 AUC structures were demobilised, involving 31,671 members and 18,051 weapons. In 2019, the Gulf Clan was estimated to have 2,500 members and a presence in 276 municipalities. In fact, the governance gaps generated since the 2016 Peace Accords have allowed it to expand to 26 more municipalities. Their main sources of income are drug trafficking, illegal mining and timber trafficking³⁸.

The war brought with it an increase in ordinary crime. The armed conflict provided an ideal scenario for this, with violence not associated with their activities serving as a cover-up, and with a very weakened state to fight against it. However, for organised crime violence is the last resort because its public repercussion runs counter to the discretion it seeks.

And to complete the scenario of violence, we must not forget the gangs and criminal groups, which in 2018 were estimated at more than 3,500. These are made up of common criminals or former combatants who did not take part in demobilisations, or who returned to arms after leaving the peace process.

³⁸ MÍNGUEZ CARRALERO, David. *Op. cit.*

We are talking about organised and armed structures, with a responsible command that acts sustainably over part or all of the territory, but without a strictly political ideology. To this effect, they were left out of the peace processes and are fought by the security forces³⁹.

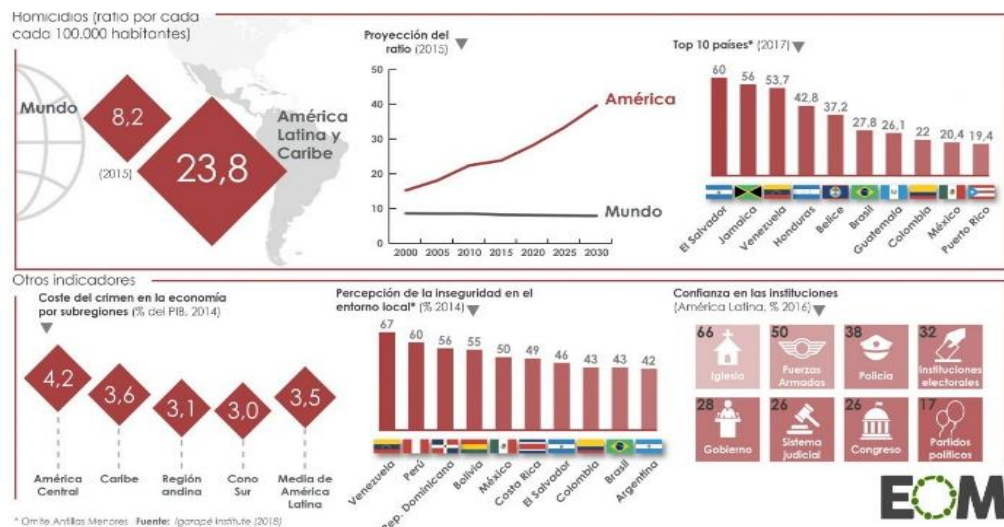


Figure 5. Insecurity in Latin America and the Caribbean: basic indicators
Source: EOM.

Violence and drug trafficking

Drugs, arms and human trafficking, terrorism, tax evasion, money laundering, smuggling and counterfeiting are major generators of financial flows, which are very difficult to monitor and quantify. Since the end of the Cold War, the illicit economy is estimated to have grown at twice the rate of the legal economy⁴⁰. Meanwhile, according to UN data from 2020, it is estimated that 10% of global GDP is cross-border financial assets. Among this figure is the laundering of €1.37 billion from illegal activities- 2.7% of the world's wealth - with the volume of bribes estimated at €35 billion per year. Following illicit money inexorably leads to power, financial centres and politics.

To frame the Colombian problem, it is worth noting that the annual business figures for some criminal markets during the first decade of the 21st century, also estimated by the

³⁹ *Idem.*

⁴⁰ Cited by several authors: NAIM, Moses. *Illicit: How Smugglers, Traffickers, and Copycats are Hijacking the Global Economy*. Anchor Books, New York, October 2006. GILMAN, Neils, "The Global Illicit Economy". Conference available at:

<http://video.google.com/videoplay?docid=3173247273890946684#>

UN, are very significant: drug trafficking, \$320 billion and cocaine trafficking, \$88 billion, with this volume of money and its production concentrated in just three countries: Colombia (70 %), Peru (20 %) and Bolivia (10 %), which produced 2,074 tons of cocaine in 2021, and had an opiates trade worth €65 billion, a human trafficking trade worth €32 billion, and an arms trafficking trade worth €1 billion. The money laundering business alone is estimated to be between 4 and 12% of global GDP.

It is estimated that 90% of the cocaine arriving in the US -which accounts for around 86% of the world total, 70% of which comes from Colombian agriculture - was via the Central American corridor. The drug problem is of particular relevance to the US. As many as 109,680 people died from overdoses in this country in 2022.

Therefore, to understand the evolution of drug trafficking, one fact is of the utmost importance: the attitude of the US, not by chance its main market. Its shift towards prohibitionism regarding both opiates and marijuana in the first decades of the 20th century is of paramount significance; by focusing on supply rather than consumption and preventive policies, it shifted the problem to Mexico and Central America, even though indigenous markets were eventually generated.

The story is a long one. World War II saw an increase in the production of opiates to meet US demand for morphine. When the war ended, excess production was diverted to the black market, which was joined after the 1950s by marijuana, the demand for which increased sharply from 1967 onwards. In 1969, President Nixon launched the war on drugs, while successive US administrations ramped up their intolerance of the drug trade, shifting the burden of the fight to the producers.

From the 1960s onwards, the booming North American drug market and its demand would find the right supply in Colombia, given the right accumulation of circumstances there: the difficulties of its geography, a weak state and society accustomed to the broad use of violence, the relative acceptance of criminal practice, inequality and a lack of social justice, the political structure and culture, among others.

This is a lucrative business which, on the supply side alone, directly involves 74,000 families; that is, more than 300,000 people. And the fact is that a certain area planted with coffee or cocoa produces more than if it is planted with rice, but much less than if it is

dedicated to coca leaf. 1 kilo of coca generates 6,667 times more income than 1 kilo of maize.

This has led to crop substitution and the abandonment of traditional agriculture, which has indirectly led to shortages, especially in the big cities, and has affected the social classes with the least purchasing power, even altering the country's internal order.

For its part, the business model of drug trafficking has not changed since its origins. Its keys are high profitability that justifies the risks; a criminal structure based on family networks –the family is a source of trust, which is particularly important in such businesses– and community networks; its telluric nature, with important roots in the society from which it emerged and which would end up becoming the economic base of some regions of the country; violence as an instrument for controlling companies, resolving internal problems and discipline, and for the dialectic with other organisations⁴¹.

There are criminal actors that operate as consultants or independent contractors providing specialised and unconnected services such as money laundering, cybercrime tools, personal security, precursor chemicals, arms trafficking, drug transportation, kidnapping and even public relations and propaganda⁴².

The name *cartel* was given to the working scheme whereby the entrepreneurs shared resources - such as routes - but separately managed their businesses. Colombia has had four of the world's most powerful historical cartels: Medellín, Norte del Valle, de la Costa and Cali.

The two main cartels, Medellín and Cali, established differentiated models of strategic alliances. While the Medellín cartel established contacts with the army and formed powerful paramilitary groups, the Cali cartel established contacts with the police.

In the mid-1970s, Pablo Escobar appeared, revolutionising the business and acting as the leader of the Medellín cartel, which was responsible for 80 % of the cocaine consumed in the US. Escobar's entrepreneurial vision would lead him to supplant the state - for example, with the construction of a free zoo and the delivery of 400 houses for poor families - giving him a great deal of social support with which he unsuccessfully tried to

⁴¹ VALDÉS CASTELLANOS, Guillermo. *Historia del narcotráfico en México*. Aguilar.

⁴² SCHULMEISTER, Gaston H. “La visión de la Organización de los Estados Americanos (OEA) sobre la criminalidad organizada en el hemisferio occidental”, en BARTOLOME, Mariano, *Transnational Organized Crime Workshop*. Inter-American Defence College, 2020.

develop a political career. Escobar went as far as to challenge the state itself, on which he even personally declared war, by means of terrorist actions and major attacks.

On the other side was the Cali cartel which, although it used violence in a broad sense, adopted a primarily entrepreneurial approach, developing legitimate businesses in parallel.

The lack of a comprehensive global policy combined with the closure of supply markets such as Turkey and the dismantling of laboratories in France where heroin was produced (the plot of the famous film *The French connection*) hugely boosted the Mexican opiate market, to which marijuana, a product in growing demand, was added.

And in the US, and through existing networks, marijuana evolved into cocaine, which was added to the distribution channels. It was at this point that the US began to put pressure on Colombia. The *narcos* then diverted the direct Caribbean routes to others that went via Mexico. Paradoxically, the penetration of institutions increased hugely, and the groups grew in size because the state had no resources with which to oppose them.⁴³

In countries like Mexico and Colombia, there was a partial capture of the state, their agents providing cover for and even leading groups and gangs. This explains why the “cartels”, unlike the American mafia organisations, were not small groups but were large and powerful enough to be able to take over the spaces the state was unable to control by exercising its functions in them. In fact, inter-organisational clashes are more akin to those between warlords in the High Middle Ages than between criminal groups.

What is more, the US used the justification offered by the “fight against drug trafficking” to increase its geopolitical weight in the region. This moment of singular anomie - when the Iran-Contra *affair* took place, for example - is also when Colombian drug traffickers used their *expertise* to relocate to Central America, a phenomenon captured in films such as *American Made*.

Armed conflicts (in Colombia, but also in El Salvador, Nicaragua, Guatemala, etc.) were mixed with drug trafficking, which re-organised its routes to the US. Territory was left in the hands of the armed forces, institutions of control and justice were disabled, violence

⁴³ VALDÉS CASTELLANOS, Guillermo. *Op. cit.*

imposed an order underpinned by fear, and the ideological “cause” served to justify any excessive action⁴⁴.

The death of Pablo Escobar in 1993 and the indictments against the leaders of the Cali cartel caused both organisations to dissolve into much smaller and more flexible groups dedicated to smuggling, specialising in more specific tasks and acting autonomously (production, transport, distribution, etc.), thereby minimising the risks.

With the fall of the Medellín cartel during the 1990s, the FARC, which had already approached it shortly after its creation by providing security for the camps, began to control cocaine production as a source of financing through formulas such as the “grammage tax”⁴⁵.

The FARC in Colombia in fact entered the drug trade after the Cold War, using its military capabilities to protect the airstrips of those who transported drugs. However, they soon realised they could integrate their efforts vertically, in other areas of logistics and production up to the complete chain⁴⁶.

De facto, the FARC became a new cartel responsible for shipping up to 60% of the cocaine consumed in the US. In addition, they increased their military power on the basis of the profits they made. Indigenous farmers began to plant coca on a massive scale, and the coca-guerrilla pairing intensified. Another organisation with a paramilitary tendency,

⁴⁴ VILLEGAS HERRERA, César. “Las fronteras borrosas de la economía ilícita: Impactos del tráfico ilícito de drogas en los flujos de la economía legal en Centroamérica” in “Repensando el tráfico ilícito de drogas en Centroamérica: un enfoque desde las ciencias sociales”. FLACSO, 2020.

⁴⁵ This is essentially a tax system that taxes the different links in the drug chain in their areas of control and includes: a tax on the producers (the cocaleros) - usually no more than \$50 per kilo of coca base; a tax on the buyers - up to \$200 per kilo of coca base; a tax on production in the laboratories located in their areas of control - up to \$100 per kilo of cocaine produced; a tax on airstrips and flights leaving their territory - again \$100 per kilo; and a tax on airstrips and flights leaving their territory - again \$100 per kilo. This means that the guerrillas admit to earning up to \$450 for every kilo of drugs produced and moved through their territory. Even if this were their only involvement in the drug trade, it would earn them a minimum of \$50 million a year from the coca base trade alone in their areas of influence, and up to \$90 million from the movement of cocaine. However, not only are these figures a gross underestimate of cocaine production in Colombia, but the guerrillas' involvement in drugs is much larger and is not limited to cocaine, also including heroin and a recent and increasingly lucrative development: marijuana. A conservative estimate of FARC's profits from drug trafficking would be \$200 million (MCDERMOTT, Jeremy. “FARC and drug trafficking: Twins or Siamese twins?”, *Insight Crime*. 26 May 2014. Available at: <https://es.insightcrime.org/investigaciones/las-farc-y-narcotrafico-gemelos-siameses/>).

⁴⁶ CROWTHER, Alex. “Transnational organised crime and cybercrime”, in BARTOLOME, Mariano, *Transnational organised crime workshop. La visión de la Organización de los Estados Americanos (OEA) sobre la criminalidad organizada en el hemisferio occidental*. Inter-American Defence College, 2020.

the United Self-Defence Forces of Colombia (AUC), is considered a direct descendant of the Medellín cartel⁴⁷.

For its part, the ELN was able to keep out of the drug trade until the 1990s, although with the new century it was unable to overcome this logic: drug trafficking had such a decisive impact on the paramilitary structure that in different regions these groups began a new drift and, taking advantage of their military structures, became the armed wing of the drug traffickers, which they came to replace.

Furthermore, the boom in coca plantations led to a reconfiguration of one of the problems that gave rise to the Colombian conflict: land ownership. Some studies indicate that until the first half of the 1990s about half of Colombia's territory was owned by coca growers⁴⁸.

This delegitimisation of the cause for guerilla organisations for operational reasons (funding) led to a growing neglect of its political-ideological objectives –already weakened by the implosion of the USSR– and the consequent military drift that eventually led to the inevitable collapse of the organisation.

To the coca business must be added illegal mining, particularly gold mining, either through direct exploitation or through companies that appear to be legal but are *de facto* controlled by these organisations.

The mining business incorporates not only extraction, but also routes to and control of markets. Organisations such as the Autodefensas Gaitanistas de Colombia and Clan del Golfo, the Ejército Popular de Liberación (EPL), the ELN and FARC dissidents are involved⁴⁹.

The continuing rise in gold prices makes it difficult to eradicate illegal gold mining. In 2016, Colombia produced 1.99 million troy ounces, of which only 13% came from formal mining. As a result, there are areas where drug trafficking, illegal mining and timber trafficking coexist, providing direct or indirect employment for a large part of the rural population. These activities are so culturally rooted that the inhabitants themselves of the territories involved prevent their repression. To this effect, if there is increased prosecution of one

⁴⁷ ARMENTEROS DIÉGUEZ, Juan Carlos. "Drug trafficking in Colombia, Peru, Bolivia and Venezuela and its impact on Europe". Escuela Superior de las Fuerzas Armadas, 2021.

⁴⁸ GÁTICA BÓRQUEZ, Jorge. *Op. cit.*

⁴⁹ MÍNGUEZ CARRALERO, David. *Op. cit.*

of these crimes, workers are transferred to the others in the hope that police pressure will decrease⁵⁰.

This is also an expression of the increasing dependence of the protagonists of violence on the "economic network of the global underground economy"⁵¹. In fact, Münckler calls the protagonists of the new form of violence "war entrepreneurs"⁵² because they see wars as a means to generate income and ensure survival, a "commercialisation of violence"⁵³ representing the supra-regional spread of conflicts and the abundant links to organised crime.

The result of this approach in the case of the FARC was the military drift of a war during the course of which there had been a loss of political objectives parallel to the growing criminalisation of the guerrillas, which at the horizontal level extended to other types of crime.

To this effect, the guerrillas began to use kidnappings to obtain economic resources. In addition to drug trafficking, this cruel and unpopular practice has likewise been delegitimised. The number of kidnappings (between 1998 and 2003 they were responsible for 1,794) and the indiscriminate choice of victims deeply affected their social support.

To quote figures, according to the Commission for the Clarification of Truth, Coexistence and Non-Repetition, 50,770 people were victims of kidnappings, with the FARC responsible for 40% of the cases, paramilitary groups for 24% and the National Liberation Army (ELN) for 19%. The remaining 9% were committed by groups related to common crime⁵⁴.

The scenario of violence in Colombia could not be more misguided. Ideologically weakened by the end of communism, but militarily re-armed through drug trafficking resources, the period between 1996 and 2005 saw a mixture of combat between state forces, left-wing guerrillas, right-wing paramilitaries and organised crime, where drug and arms trafficking, extortion and kidnapping converged⁵⁵.

⁵⁰ *Idem*.

⁵¹ MAIR, Stefan. *Die Globalisierung private Gewalt*. SWP-Studie, Berlin, 2002, p. 24.

⁵² MÜNCKLER, Herfried. *Viejas y nuevas guerras*. Siglo XXI, Madrid, 2005, p. 1.

⁵³ *Ibid.* p. 22.

⁵⁴ PASTRANA BUELVAS, Eduardo and VALDIVIESO COLLAZOS, Andrés. *Op. cit.*

⁵⁵ GATICA BÓRQUEZ, Jorge. *Op. cit.*

In this context, military spending reached 4.5% of GDP in 1996 - resources that were diverted to other social purposes - while the average for Latin American countries that year was 1.5%. During this period the FARC came to control almost 350 municipalities by means of almost 20,000 guerrilla fighters⁵⁶.

In response, in 2000 Plan Colombia was launched, a decisive milestone in the fight against the guerrillas. Envisaged was the investment of around \$7.5 billion over a period of five years, which would later be extended by five more, to reactivate the Colombian economy, promote social development, eradicate illicit crops by influencing supply to the North American market, weaken the FARC - whose sources of income came from this business, hence the term *narco-guerrilla* -and relaunch peace talks that were then at a standstill⁵⁷.

For this purpose, forces were deployed on Colombian territory and US bases were established from which to fight drug trafficking. This also brought with it the suspicion of neighbouring countries, which perceived it as an attempt by the US to interfere in the region.

This plan had a dual strategy, military and Colombian economic development. Militarily, the success of the plan emanated from the enhancement of the capabilities of the country's army and police. This made defence spending the highest in Latin America, with human resources increasing by 40% by 2012.

The economic strategy involved a high level of investment. Over the two legislatures of President Uribe, this amounted to around \$7 billion and, according to Jerónimo Ríos - a researcher quoted by Mínguez - was complemented by considerable economic support from the US: \$606 million in 2003, \$594 million in 2004, \$579 million in 2005, \$582 million in 2006, \$573 million in 2007 and \$422 million in 2008⁵⁸.

At the same time, the economic strategy led to an improvement in GDP, which increased by an average of 4.4% per year in the period 2000-2014. To this must be added the oil

⁵⁶ MÍNGUEZ CARRALERO, David. *Op. cit.*

⁵⁷ TRINDADE VIANA, Manuela. "Reorganizando la violencia: la "historia de éxito" colombiana y los límites del discurso del posconflicto", *Revista CIBOD de Afers internacionals (La construcción de la paz: Colombia as an international mirror)*, no. 121. July 2019.

⁵⁸ MÍNGUEZ CARRALERO, David. *Op. cit.*

bonanza, the weight of oil increasing from 27.34% of total exports to 55.22%. Meanwhile intentional homicides per 100,000 inhabitants fell from 66 in 2000 to 28 in 2014.

For their part, the number of FARC troops fell from around 17,000 in 2002 to 8,000 in 2010, reducing their territorial presence by more than 50%, which contributed to the peace talks that culminated in 2016. Notable is the fact that the FARC's confrontation with the ELN and other paramilitary groups also contributed to this, since it is neither trivial nor a minor issue⁵⁹.

While the guerrillas were being weakened, President Uribe was trying unsuccessfully to negotiate with the paramilitary groups. The factual failure to do so led to a reactivation of their violence and a more defiant attitude. These armed groups have also at times been considered terrorist groups and have been listed by the US and the EU.

Following the 2016 Peace Accords and the demobilisation of the FARC, demand regained momentum and Colombia, faced with the government's inability to extend its control over these areas, increased the number of hectares under cultivation. Smaller criminal groups, even more difficult to combat, filled the vacuum left by the FARC, causing coca cultivation to grow to 204,000 hectares by 2022, according to UNODC, a figure that some put as high as 234,000 hectares⁶⁰. Moreover, since the start of the talks in 2012, the increase in hectares under coca cultivation has been steady: 48,189 in 2013, 69,320 in 2014, 96,084 in 2015 and 146,140 in 2016⁶¹.

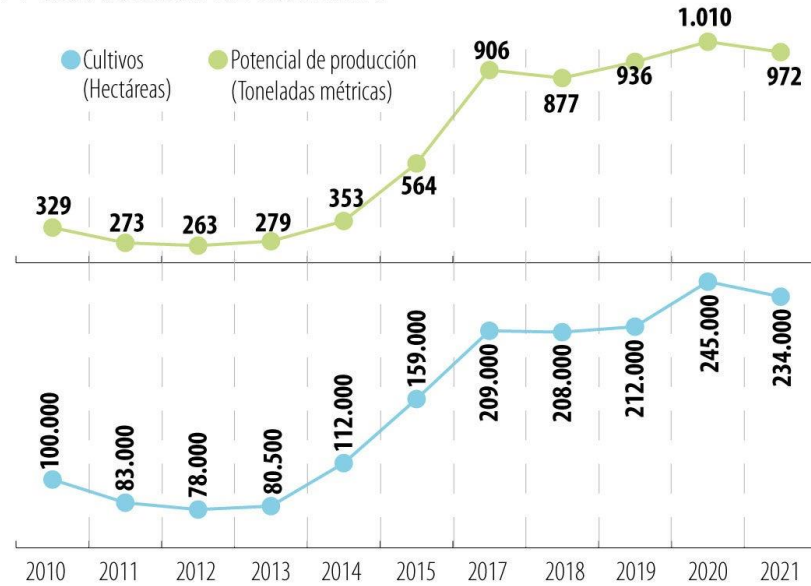
The Peace Accords also imposed manual eradication of illicit crops and expressly prohibited chemical eradication which, if carried out from the air, made territorial control unnecessary.

⁵⁹ ARMENTEROS DIÉGUEZ, Juan Carlos. *Op. cit.*

⁶⁰ *Idem.*

⁶¹ GATICA BÓRQUEZ, Jorge. *Op. cit.*

PANORAMA DEL CULTIVO DE COCA Y PRODUCCIÓN DE COCAÍNA



Fuente: Ondcp / Gráfico: LR-MN

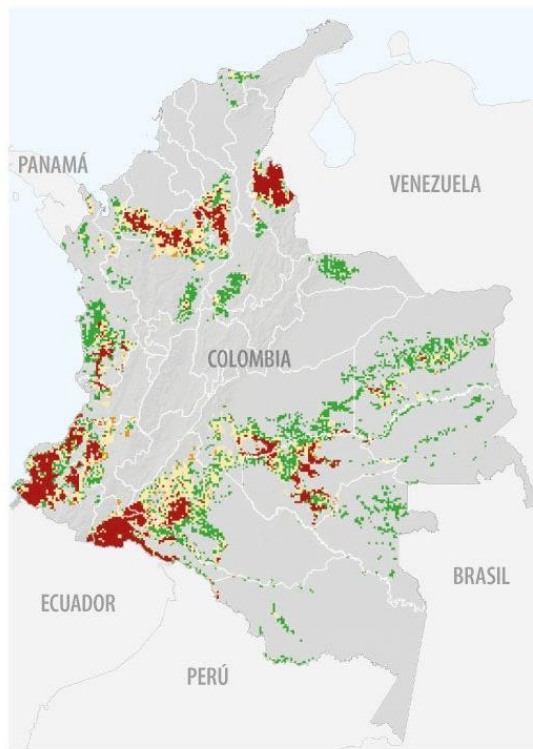
Figure 6. Hectares and potential coca production in Colombia

Source: "Cultivos de hoja de coca en Colombia bajaron a 234.000 hectáreas", *La República*. 14 July 2022. Available at: <https://www.larepublica.co/economia/cultivos-de-hoja-coca-en-colombia-bajaron-a-234-000-hectareas-segun-la-casa-blanca-3403803>

The peace process had a decisive effect on the FARC because although it fractured the organisation's leadership, the design problems of the demobilisation process led to a loss of control over the former combatants and allowed a part of them - the so-called dissidents - not to demobilise, but to continue directly developing illicit practices or to return to them after their failed reintegration, which in turn gave an opportunity to other already established groups, such as the ELN and the paramilitary groups. This has resulted in a moderate increase in crime as measured by the homicide rate⁶².

⁶² ORTIZ MARINA, Román. "Cartels and gangs in the Caribbean Basin: common crime or anti-state threat?" (Research Paper 01/2019). Instituto Español de Estudios Estratégicos.

DISTRIBUCIÓN DE LA PERMANENCIA DE CULTIVOS DE COCA, 2011-2020

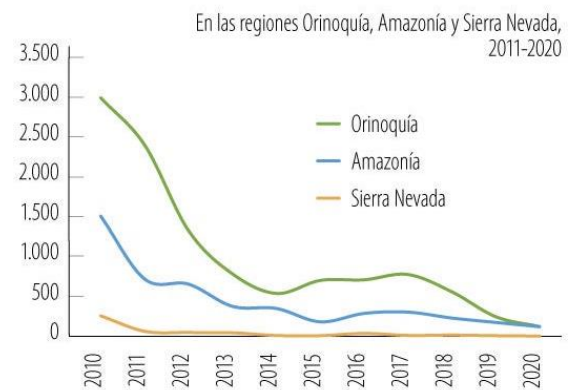


Tipo de territorio* según la permanencia del cultivo de coca

- Afectado permanentemente (durante los últimos 10 años)
- Afectado recientemente (últimos tres años)
- Afectado intermitentemente (2011 - 2020)
- Abandonado (últimos tres años)

* La representación del territorio según la permanencia del cultivo de coca se realiza en grillas de 5 km x 5 km.

SERIE HISTÓRICA DEL ÁREA SEMBRADA CON COCA EN HECTÁREAS



Fuente: UNODC/ Gráfico: LR-ER

Figure 7. Movement of coca cultivation in Colombia

Source: LÓPEZ BEJARANO, Joaquín Mauricio. "Estos son los departamentos que concentran la producción de cocaína según UNODC", *La República*. 21 September 2022. Available at:

<https://www.larepublica.co/economia/los-cinco-departamentos-que-concentran-la-produccion-de-cocaina-segun-la-unodc-3452425>

In addition to the social, criminal and health consequences of drug use, there are many others. To this effect, the replacement of the landowning elite by drug traffickers changed the scenario of social confrontation to one in which the state's capacity to undertake agrarian reform was limited.

Drug production also has environmental effects due to the large amount of toxic chemicals used. These are distilled for reuse, a process that requires thousands of tonnes of hot water which, when discharged back into rivers, increases their temperature and alters the ecosystem. And when chemicals can no longer be reused, they are discharged directly into rivers.

In parallel, during the second decade of this century, organisational changes took place in drug trafficking as a result of the reconfiguration that occurred after the alteration of the

status quo in the Colombian and Mexican conflicts. The new spaces gave rise to new organisations that merged with the old ones, broadening the range of activities.

Indeed, globalisation has amalgamated local organised crime into its logic, projecting it according to global keys and causing local criminal groups to simultaneously broaden the spectrum of their activities, interacting with the black markets of the West and thereby increasing their economic entity and power.

We are dealing with globally connected, adaptable and atomised organisations that exercise their dominance without territorial or state aspirations, but rather follow business schemes. In addition, these groups have large money laundering structures and avoid drawing attention to themselves through violence.

These organisations diversified their location and activities by trying to take comparative advantage not only of the territories in which they operated but also of the territorial and material fragmentation of their activity. Although created by illicit actors, these corrupt structures are "implemented by a legion of lawyers, accountants, bankers, middlemen, administrators and others"⁶³. They are known as "invisibles" or "narco-ghosts", who only control the routes and the relationship with the client. They seek strict anonymity, to be mistaken for ordinary businessmen - although some FARC dissidents have been identified among them - and, because they have very small structures, they rely on intermediaries who subcontract services⁶⁴.

As its natural components, organised crime, violence and corruption⁶⁵ generate a vicious circle. To survive, drug trafficking needs to parasitise the structures of the state, which is incrementally weakened by corruption, causing it to lose legitimacy and strength and facilitating the control of Colombian territory by the aforementioned organisations.

⁶³ RICKARDS, James. "Economics and Financial Attacks", *Unrestricted Warfare Symposium Proceedings 2009*. 24 March 2009. Available at:

http://www.jhuapl.edu/urw_symposium/proceedings/2009/Authors/Rickards.pdf

⁶⁴ ARMENTEROS DIÉGUEZ, Juan Carlos. *Op. cit.*

⁶⁵ For further information on the specific problem of corruption, please consult: AZNAR FERNANDEZ-MONTESINOS, Federico and PUIG SOLER, Sebastián. "La corrupción y seguridad internacional" in PIZARRO, Manuel (Dir.). *Economía y geopolítica en un mundo globalizado* (Monografía del CESEDEN, n.º 174). Ministry of Defence, 2015.



Figure 8. Corruption Perceptions Index 2020.
Source: Transparency International

Colombia has experienced a process of Mexicanisation of violence that does not pose a direct risk to the survival of the state but weakens it and allows the objective conditions to be established for a repetition of the situation. Criminal groups neither want power nor seek to destroy the state. In fact, they need it to work since they require a certain political and legal order to be able to do business. To trivialise the Mexicanisation of violence is also wrong and dangerous, because its effects can make institutional channels spill over, causing the collapse of the political system, even if this is neither the drug traffickers' objective nor desire⁶⁶.

To ensure their ability to operate, the protagonists of violence need partners from legal structures from which to insert themselves into the global and legal economy. Organised crime exploits corruption to inject illegal financial flows into the capital market, to commit and cover up crimes and to influence at the political and judicial levels, thus infiltrating legal structures to establish and consolidate its power. Corruption thereby becomes part of criminality by ensuring the interconnection between illegal activities and legal requirements.⁶⁷

⁶⁶ GÓNZALEZ MARTÍN, Andrés. *Op. cit.*

⁶⁷ GAYRAUD, Jean-François. *The G9 Mafias in the World*. Urano, Barcelona, 2007, p. 257 ff.

Post-conflict and peace

Peace, security and social justice

Peace is a concept of singular significance in Judeo-Christian culture. However, it is not a clear concept. The sacralisation of words and their given a mythical meaning means that they lose their real function and even their meaning.

To begin with, war incorporates a dialectical contradiction, namely that its goal is peace. This dilemma can only be resolved by accepting that both terms belong to politics, which is why they are not in conflict, as at first glance they seem to be, and even have common and complementary spaces.

In the 21st century it is no longer a question of just winning, but also of convincing, of winning "with"; or in other words of rethinking victory and transforming it into a common and mutually beneficial episode which, to top it all, is acceptable to the international community. Peace requires the deactivation of the discursive element on which war feeds, of its intangibles. High politics is pedagogy and so is peace.

Peace could be broadly defined as a transition and also as the absence of conflict; and it is not a state in itself, but something that is elaborated. War, as a concept, is a full term, while the idea of peace is empty; an empty concept that needs to be completed to really mean something and describe a new political situation, which must be understood and appreciated as such.

Genuine peace transcends the mere overcoming of violence, which is always a first step. Peace must go beyond a mere and ambiguous negative definition within which anything goes. On a positive note, it is seen as a long-term pedagogical and transformational project that must be coherent with each social space and therefore requires solid foundations.

Moreover, it seems that the conflicts of the 21st century are won by those who are able to take possession of the word *peace*, presenting their project as a natural truth that puts an end to any problem. Those who oppose it are therefore enemies of peace.

It must be made clear that the goal of any war is peace, not justice, a concept that belongs on another plane. But it is also true that without some justice for the parties, there can be

no peace. We can then consider, *a sensu contrario* and as a result of paradoxical logic, that peace is based not so much on justice, but the other way around, on perceived injustice, and that, even then, it must be tolerable for the parties.

The idea of a just war brings together two terms that are situated on different conceptual planes: the first, war, is in the realm of politics, and the second, justice, is in the realm of ethics or law, depending on how you look at it. The combination of both terms is irresolvable and generates a sort of melancholic loop. Can justice be obtained through a series of unjust acts? Where is the justice in killing a civilian (e.g. a milkman carrying weapons on the wrong side)? It may be politically necessary and legal, but not fair. The same applies to just peace.

Machiavelli is unconcerned with the relationship between justice and politics, subordinating the former to the latter and placing it at the service of the general interest. In fact, astutely, already in *The Prince* he allows us to glimpse an idea that he takes up explicitly in his *History of Florence*: "Only wars that are necessary are just; and weapons are merciful when there is no hope outside them". This phrase also appears in chapter XXVI of *The Prince* and is a literal quotation from Titus Livy, referring to the Samnite wars. This is nothing less than the first moral justification for war ever made in the history of the West. Its value is therefore very high.

In this way, ends, means and results are brought together in a kind of *ius post bellum* that evaluates the justice of a conflict in relation to them and, *a posteriori*, resolves the conceptual paradox embodied in the idea of just war. In short, it makes war a useful instrument for resolving deadlocked situations, using the final outcome as a criterion of truth and justice.

The existence of organised crime, however, is in itself a challenge to the state as it competes with its power. Indeed, the definition of the state implies a monopoly of legitimate violence. Moreover, tolerance questions the capacity of institutions by damaging their credibility: the perception of power is power, and its absence the opposite. Therefore, fighting this phenomenon with no chance of success is an even worse option than not fighting it at all.

The involvement of the army in the fight against organised crime in a context of peace contributes to legitimising its existence at the cost of redefining its role, and of prioritising

a security rather than a public health vision. Moreover, the predominant idea of war in public discourse is consubstantial with the armed forces, posing the dispute in symmetrically violent and unrestrained terms, when the *raison d'être* of armies is to protect the entire population. This explains the spirals of violence experienced in some regions in line with the principle of reciprocal action and the rise of Clausewitzian extremes.

The same explanation can be given for crime which, if it exceeds a certain threshold, also becomes a risk to National Security, like any other public health problem. This dual nature serves to underline the different approaches to a political and thus multifaceted problem. The dichotomous and plastic simplism that differentiates between good and bad, just and unjust, or only one of their dimensions, is not operational. We do not talk about law, criminality or ethics, but about politics, and we also do so, although without alluding to it, about a specific social group that is its basis.

In any case, states are called upon to use violence restrictively, as it incorporates a toll in terms of legitimacy and undermines their very essence. So, to the weakness of the state, the fracture of the pact between state and society is added when it acts in such a way.

The state does not and cannot make war on its society or any part of it. In fact, the “war on drugs” may *de facto* entail a criminalisation of the poorest and most vulnerable social sectors, who are the ones that, in practice, commit the crime.

To this effect, in Mexico homicides increased from 2,819 in 2008 to 17,000 in 2011, although 85% of these were due to fighting between the cartels themselves. The year 2019, the first of López Obrador's presidency, in which he wanted to put an end to the “war on drugs” policy and replace it with other ways of addressing its underlying reasons, ended with 34,608 homicides and 1,012 murders of women. Some sources estimate the number of homicides between 2006 and 2019 at more than 275,000, with impunity for these crimes at 98%. In 2021, homicides fell to 33,308, only 3.6% less than the previous year. The change of sign was confirmed when they became 30,968 in 2022, down 7.1%.

Petro's bid for Total Peace is radically opposed to the model previously attempted in Mexico and aligns with López Obrador's current model.

The road to the 2016 Agreements

In Colombia, some twelve attempts have been made to sign peace with armed groups, but sometimes due to a lack of cohesion among the guerrillas and other times because of a military victory that seemed close they were not concluded, and peace was not achieved. In this regard, the two attempts made in the 1950s by Lieutenant General Rojas Pinilla with the liberal guerrillas after the Bogotazo are worth highlighting.

In 1981, President Carlos Lleras Restrepo resigned from leading the peace process with the guerrillas, arguing that he was not allowed to establish contacts with the insurgency⁶⁸. Since 1982, seven peace agreements have been negotiated, six of them failing to reach signature, until the Final Agreement for the Termination of the Conflict and the Building of a Stable and Lasting Peace.

In the 1980s, there was a second wave of peace processes which, despite some partial successes, did not result in the demobilisation of the actors in the conflict. In 1981, President Julio César Turbay (1978-1982) proposed a conditional amnesty to all insurgent organisations (Law 37 of 1981), which opened the doors to encourage rapprochement, facilitate the surrender of weapons and advance the reintegration of ex-combatants⁶⁹.

In an attempt to achieve peace, President Betancur's government organised the Commission for Peace, Dialogue and Verification (Comisión de Paz, Diálogo y Verificación). His offer included a general amnesty, land reform and the possibility of a National Constituent Assembly. In 1984, he signed the so-called Uribe Accords with the FARC, and also agreed to a dialogue with the M-19, the EPL and the Workers' Self-Defence Movement (Movimiento de Autodefensa Obrera). In November 1985, the seizure of the Palace of Justice by the M-19 and its subsequent violent recovery by the army - whose actions, according to different authors, made the process ostensibly difficult - aborted the negotiations⁷⁰.

For their part, the FARC and the ELN joined forces in the Simón Bolívar Guerrilla Coordinating Committee, from which they approached these governments on several

⁶⁸ TENA CORTES, Hernán Augusto. "Petro's Total Peace: A Critical and Reflective Analysis", *Al Poniente*. 22 April 2023. Available at: <https://alponiente.com/la-paz-total-de-petro-un-analisis-critico-y-reflexivo/>

⁶⁹ VALENCIA AGUDELO, Germán Darío. *Op. cit.*

⁷⁰ GATICA BÓRQUEZ, Jorge. *Op. cit.*

occasions, but in the end disassociated themselves from the peace process, considering that there were no guarantees. The assassination of Carlos Pizarro (ex M-19) and the near extermination of the Patriotic Union (UP) movement⁷¹ are examples of such an important shortcoming. More than a few authors accused the armed forces of having sabotaged the process.

The Patriotic Union emerged from the FARC in the wake of the Uribe Accords. The party took part in the 1986 elections, winning 350 seats in local councils, 23 deputies in departmental assemblies, nine seats in the Chamber, six seats in the Senate and 10% of the presidential vote. After the elections, the party was subjected to great violence, such that between 1986 and 1990 between four and six thousand members of the Patriotic Union were assassinated, from grassroots militants to leaders. It was an operation in which drug traffickers, members of the political elite and large landowners took part, and which was classified as a crime against humanity⁷².

The physical destruction of the Patriotic Union - among the thousands killed were two presidential candidates, five sitting congressmen, 11 deputies, 109 councillors, eight sitting mayors and eight former mayors - was incorporated into the FARC's "lessons learned" chapter, which they would bring to the negotiating table with the Santos administration. However, the group has not been able to replicate the relative electoral success it enjoyed with the Patriotic Union.

Last, it was not until the 1990s that the guerrilla groups M-19, a faction of the National Liberation Army (ELN) - known as the Socialist Renewal Current (CRS) - the Revolutionary Workers' Party (PRT), the Manuel Quintín Lame Armed Movement (MAMQL) and a faction of the Popular Liberation Army (EPL)⁷³ demobilised as a result of contacts maintained during the presidencies of Virgilio Barco and Cesar Gaviria.

The peace process initiated in 1999 by President Andrés Pastrana with the FARC, the third formal attempt, took place in the midst of confrontation and broke down in February 2002⁷⁴. Under the Uribe administration, the demobilisation of Colombia's paramilitary

⁷¹ PASTRANA BUELVAS, Eduardo and VALDIVIESO COLLAZOS, Andrés. *Op. cit.*

⁷² PHELAN, Alexandra. *Op. cit.*

⁷³ BENAVIDES VANEGAS, Farid Samir and BORDA GUZMÁN, Sandra. "Introducción: el Acuerdo de Paz entre el Gobierno colombiano y las FARC-EP", *Revista CIDOB de Afers internacionals (The Construction of Peace: Colombia as an international mirror)*, no. 121. July 2019.

⁷⁴ TENA CORTES, Hernán Augusto. *Op. cit.*

groups began, the main one being the so-called United Self-Defence Forces of Colombia (AUC). This process involved the demobilisation of thousands of combatants, the trial and conviction of several of their leaders and the extradition of some of them to the US for drug trafficking⁷⁵.

The key to achieving this was the approval in 2005 of the Justice and Peace law, which encouraged the reincorporation of members of criminal groups by granting incentives - to paramilitaries - and large benefits in terms of reduced sentences with a view to demobilising troops.

However, the paramilitary presence did not diminish in many areas. In fact, new armed groups emerged, victims were not fully repaired, and the rights to truth and guarantees of non-repetition were not realised. In this regard, 15% of those arrested (1026 individuals) between 2006 and 2009 in operations against organised crime had taken part in this demobilisation process, so there was no significant improvement in the country's security⁷⁶. In the period 2009-2012, 772,000 people were displaced and in the period 2012-2015, 775,000 people.

In the view of some authors, the extraditions of paramilitary leaders halted a process that was allowing the paramilitary groups links with politicians and members of the Colombian government to become known⁷⁷.

In fact, cooperation between these irregular groups and state forces and their relations with both intelligence services and political parties shaped the dynamics of the conflict⁷⁸.

The period 2002-2010 was a complex time, with scandals such as the so-called "false positives", i.e. innocent citizens killed by the security forces to pass them off as terrorists or drug traffickers to collect a reward offered by the state and to prove the success of the operations, and even as part of a process of "social cleansing".

⁷⁵ FERNÁNDEZ-MATOS, Carolina Dhayana and GONZÁLEZ-MARTÍNEZ, Nohemí , *Op. cit.*

⁷⁶ GÓNZALEZ MARTÍN, Andrés. *Op. cit.*

⁷⁷ BENAVIDES VANEGAS, Farid Samir and BORDA GUZMÁN, Sandra. *Op. cit.*

⁷⁸ FERNÁNDEZ-MATOS, Carolina Dhayana and GONZÁLEZ-MARTÍNEZ, Nohemí. *Op. cit.*

The Peace Accords

In 2011, shortly after his election, and through the enactment of the Victims and Land Restitution Law, President Juan Manuel Santos signalled his willingness to reach an agreement. Santos, who had been Minister for Defence during the Uribe government, gave way to negotiations with the FARC in Havana that put an end to a double stalemate, the first produced by the central government's inability to obtain a complete victory, even if it had weakened the FARC militarily, and the second resulting from the FARC's ability to prolong or perpetuate a conflict that had become a war of attrition and lacked the least political sense.

In November 2016, when the Final Peace Agreement was signed, it was estimated that the FARC still had 7,000 members and a presence in 242 municipalities. These agreements mark the beginning of a transitional phase - they are expected to be implemented in fifteen years - which aims to overcome three historical problems: the lack of state presence in a significant part of the national territory, land ownership and, last, the abandonment of rural areas. These are problems that a state must necessarily address, whether it is at war or not⁷⁹.

In doing so, the socio-economic and structural grievances underlying the conflict are openly confronted. This is because the agreement particularly affects the rural population, which is, let us remember, 30% of the total population. Within this group, it affects even more the most marginalised groups in Colombian society, namely Afro-descendants and indigenous peoples, who are traditionally under-represented. These collectives have been a significant segment of FARC bases or live in areas which, because of their remoteness, have been controlled by the FARC⁸⁰.

The Peace Agreement is structured around six points. The first point by order of importance refers to Integral Rural Reform, i.e. the structural transformation of the countryside with a view to giving rural populations more democratic and effective access to land ownership. The conflict is rooted in the difficulties of access to land, the inequality

⁷⁹ MÍNGUEZ CARRALERO, David. *Op. cit.*

⁸⁰ PHELAN, Alexandra. *Op. cit.*

of land ownership and the historical consequences for the population. This problem and the bridging of the urban-rural divide are decisive for peacebuilding⁸¹.

This is why the Accords directly link a stable and lasting peace to the structural transformation of the countryside. To solve this problem, the Development Programmes with a Territorial Approach regulate the treatment of land access and use and property formation with a view to achieving the so-called "territorial peace", while at the same time articulating measures for the eradication of poverty among the rural population.

The Accords consider that the intended reform is only possible if it is based on a "territorial approach" that makes rural areas a "territory of peace", which is essential for building a truly effective peace agenda. In this way, the guarantee for "the non-repetition of the conflict and the eradication of violence" depends on guaranteeing the rights of the rural population, for which the peace agenda is committed to "the construction of a new paradigm of development and territorial well-being"⁸².

Due to the scattered nature of the conflict, which in each case obeys reasons that are also disperse, in the Colombian case it seems appropriate to define the idea of *territorial peace*.

The territorial approach involves putting the idea of peace into practice and highlights the fact that war takes place on the periphery, in diverse, often remote and forgotten territories, each of which has specific and unique dynamics that cannot be neglected.

Taking these circumstances into consideration, Development Projects with a Territorial Approach have emerged with the aim of stabilising and transforming the territories most affected by violence, poverty, illicit economies and institutional weakness, in response to their very specific circumstances. This involves a total of some 170 municipalities.

The importance of the territorial and geographical dimension of the conflict makes the need for zoning and regionalisation a central part of the agenda. This, however, is only fulfilling a constitutional mandate for decentralisation that is logical and benefits rural

⁸¹ SÁNCHEZ IGLESIAS, Eduardo and SÁNCHEZ JIMÉNEZ, Vicente. "El enfoque territorial en el proceso y el Acuerdo de Paz colombianos", *Revista CIDOB de Afers internacionals (Peacebuilding: Colombia as an international mirror)*, no. 121. July 2019.

⁸² *Idem*.

areas. The reform thus aims to integrate the regions, contribute to eradicating poverty, promote equality and ensure the full enjoyment of citizenship rights⁸³.

The second point of the Accord, "Political participation: democratic opening to build peace", requires a democratic broadening that allows for the emergence of new political forces with due guarantees for their participation and inclusion in the system. It also implies the entry of organisations into politics and submission to its dynamics.

The third point, "Bilateral and definitive ceasefire and cessation of hostilities and the laying down of arms", aims at the definitive termination of the confrontation with the FARC-EP and includes the rules governing this cessation. It also includes the pact for the "Reincorporation of the FARC-EP into civilian life - economically, socially and politically - in accordance with their interests".

Laying the foundations for the construction of a stable and lasting peace requires the effective reincorporation of the FARC-EP into the social, economic and political life of the country. This point also includes the agreement on "Guarantees of security and the fight against criminal organisations responsible for homicides and massacres, or that attack human rights defenders, social movements or political movements, including criminal organisations that have been named as successors of paramilitarism and their support networks, and the prosecution of criminal conduct that threatens the implementation of the agreements and the construction of peace".

The approach taken is not the classical one: traditional models of disarmament, demobilisation and reintegration (DDR) of armed organisations understand the social reintegration of ex-combatants as an individual process that involves the breakdown of the structures of the armed organisation, the dismantling of hierarchies and the dissolution of the collective⁸⁴. In contrast to the classical view, the FARC-EP indicated during the negotiations that they would carry out a collective, not individual, reincorporation, making this explicit through language: the guerrillas do not disarm, they "stop using arms" to continue the struggle through democratic means; they do not demobilise, they "dismantle their armed structures" while remaining a collective; they do

⁸³ *Idem.*

⁸⁴ ZAMBRANO QUINTERO, Liliana. "La reincorporación colectiva de las FARC-EP: una apuesta estratégica en un entorno adverso", *Revista CIDOB de Afers internacionals (Building Peace: Colombia as an international mirror)*, no. 121. July 2019.

not reintegrate, they "reincorporate" into the political system. That is, in their words: "The FARC is not demobilising, it is mobilising for legal politics. With these nuances, the guerrillas wanted to imply that the FARC was not disappearing as a political organisation, but as a military structure, maintaining the ends even if the means changed. This is how the organisation became a political party without even changing its name⁸⁵.

To materialise and make these agreements possible, a basic income was established corresponding to 90% of the minimum wage, approximately €200, to be received by any ex-combatant who demobilised. It was established for three years, although it would be extended for an additional eight years to give the ex-guerrillas the necessary time to reintegrate into ordinary life and prevent them from returning to crime, which until now had been their way of life.

The fourth point, "Solution to the problem of illicit drugs", promotes the treatment of this problem and organised crime from an approach that is intended to be general, human rights and public health oriented, differentiated and gender-based. Notably, as we shall see, this problem has far from improved.

Point five contains the victims' agreement, which combines retributive and restorative justice mechanisms. The agreement creates a Comprehensive System of Truth, Justice, Reparation and Non-Repetition that contributes to the fight against impunity by combining complementary judicial and extrajudicial mechanisms for the clarification of the truth, the search for the disappeared and the reparation of damages.

Point six, "Implementation and verification mechanisms", provides for the creation of an implementation commission made up of representatives of the national government and the FARC-EP.

The final agreement sparked a major debate within Colombian society and there were many who opposed it - including Iván Duque, who would replace Santos as president - which is why, when it was put to a plebiscite, the final result was a "no" victory with 50.2% of the votes, compared to 49.7% for the "yes" side. This forced the government to "renegotiate" the agreement, while creating uncertainty over its legal implementation. The government and the FARC-EP subsequently agreed on a new text that was signed on 24

⁸⁵ *Idem.*

November in Bogotá's Teatro Colón, and was ratified by the Senate and the Chamber of Representatives, although without facing a new plebiscite.

Implementation and effects of the peace accords

Neither in the last months of the Santos presidency nor during the presidency of Iván Duque, who had opposed their approval when they were submitted to a referendum, was any significant progress made in the implementation of the Peace Accords. In fact, they met with considerable internal opposition, which was to be expected given the magnitude of the gamble taken. And in this period the economy did not help.

Duque's political reference to a "peace with legality" implied, *de facto*, a delegitimisation of the agreements reached insofar as they were not in accordance with current legality. And if there was no regression to previous positions in his mandate, neither was there any progress in his wake. Guarantors and accompaniers such as the EU would not have allowed such a thing. It should also be noted that President Duque attempted to reach peace with the ELN, but this initiative was thwarted after the killing of twenty-two police cadets in 2019.

The implementation of the Accords would have required the passage of a complex of laws by Congress that to date have not been passed⁸⁶. In this regard, according to a report by the Kroc Institute, between 2016 and 2018 dispositions in progress increased from 83 to 410, whereas between 2019 and 2021 the percentage variation was between 4 and 6 points, "decreasing notably in the last year, with a variation of one percentage point"⁸⁷.

Overall, 31% of the provisions are complete, 20% are in intermediate status, 37% are in minimum status and 13% have not yet started implementation⁸⁸. It should also be noted that the necessary progress has not been made in the ethnic and gender approaches, which are essential for the correct implementation of the agreements.

⁸⁶ BENAVIDES VANEGAS, Farid Samir and BORDA GUZMÁN, Sandra. *Op. cit.*

⁸⁷ MORALES CASTILLO, Cindy A. "La implementación del Acuerdo de Paz con las FARC podría no lograrse en el tiempo establecido", *El Espectador*. 27 June 2023. Available at: <https://www.elespectador.com/colombia-20/paz-y-memoria/estado-de-la-implementacion-del-acuerdo-de-paz-con-las-farc-informe-2022-instituto-kroc/>

⁸⁸ *Idem.*

Accordingly, the FARC demobilised and the ex-combatants, together with their families, began to concentrate in the Transitory Zones for Normalisation (ZVTN), later reconverted into Territorial Spaces for Training and Reincorporation (ETCR).

A part of the FARC did not join the peace process and remained active; these groups are called "dissidents" and there are about twenty of them. The most important are the Central General Staff of the FARC-EP, which has 2,300 men in the eastern part of the country and also controls seven fronts in western departments (Cauca, Valle del Cauca and Nariño); and the so-called Second Marquetalia, which operates in the eastern region bordering Venezuela and which, unlike the former group, did take part in the signing of the 2016 Peace Accord, although it later reneged on and became a reinsurgency⁸⁹.

The dissidents also include new fighters recruited to continue their activities and operations. They are therefore not simply direct heirs of the FARC, and political, criminal or operational mutations of their structures are not infrequent⁹⁰.

In any case, the Accords meant the fracturing of the FARC. From the outset, some 700 guerrillas, 10% of the total, opposed demobilisation, a figure that rose to 1,200 in 2018. Those who were already installed in ECTR claimed to feel cheated by both the lack of progress and the government's failure to deliver⁹¹.

One year later, at least 55% of the 8,000 former insurgents who took advantage of the Peace Accord left the 22 ETCRs due to the lack of economic prospects. This does not constitute a crime, but the fact that such a large percentage have done so testifies to the dysfunctional nature, if not the failure, of the reintegration programme. Some will no doubt have joined FARC dissidents or other guerrilla or criminal groups⁹².

While it is not surprising that tensions between the military and political sides of an insurgent organisation appear, in 2019 the dissidents numbered between 16 and 18 structures, with between 1,200 and 2,000 fighters, with some form of presence in 13 of Colombia's 32 departments. These fighters include important leaders of the FARC-EP's military structure⁹³.

⁸⁹ GIORDANO, Eduardo. *Op. cit.*

⁹⁰ MÍNGUEZ CARRALERO, David. *Op. cit.*

⁹¹ GÓNZALEZ MARTÍN, Andrés. GÓNZALEZ MARTÍN, Andrés. *Op. cit.*

⁹² *Idem.*

⁹³ *Idem.*

To recap the overall situation, by 2019 FARC dissidents, grouped into 23 structures, had expanded from 58 to 85 municipalities and numbered around 1,800 ex-guerrillas and around 300 new recruits. The Gulf Clan had 2,500 troops, was present in 276 municipalities and expanded to 26 more after the Accords. The ELN, for its part, expanded to some 35 more municipalities, taking over a total of 136, for whose control it had some 3,000 fighters⁹⁴. Moreover, this group has continued to expand its capabilities such that by 2022 it had a significant operational capability and some 5,800 fighters.

The areas affected are those most closely linked to drug trafficking: the Pacific coast, where there is a true civil war between armed groups, dissidents, guerrillas, criminal gangs and the army and police (45% of the country's cocaine comes from there); the Bajo Cauca region of Antioquia and the north-east of Antioquia; and the centre-south of Colombia, an area where FARC dissidents have consolidated their position by controlling the illicit trafficking corridors⁹⁵.

The demobilisation of the FARC generated a power vacuum in some areas as this space was not covered by the state as planned. This has caused other organised armed groups - including Mexico's Sinaloa and Jalisco New Generation cartels - to occupy it. The described combination of armed actors and the absence of the security forces also occurred during the paramilitary demobilisation. The reason lies in the business opportunities created by the aforementioned power vacuum, which led to criminal groups replacing the guerrillas in the pursuit of illicit businesses already under way, facilitated by the support of some of the ex-guerrillas, now reconverted into ordinary criminals. Moreover, members of Mexican cartels set up shop in the region to ensure supply and logistical timing.

⁹⁴ MÍNGUEZ CARRALERO, David. *Op. cit.*

⁹⁵ GÓNZALEZ MARTÍN, Andrés. *Op. cit.*

Principales grupos armados colombianos y su situación ante el diálogo con el Gobierno

Grupo	Motivaciones	Nº municipios	Presencia departamental	Principales Alianzas	Principales Enemigos	PAZ TOTAL (a 15/04/ 2023)
ELN	Ideológicas (especialmente el Comando Central) Criminales (especialmente frentes de guerra)	184 municipios y 12 departamentos de Venezuela	Nariño, Cauca, Valle del Cauca, Chocó, Antioquia, Bolívar, Cesar, La Guajira, N. Santander, Santander, Boyacá, Arauca, Casanare, Vichada,	Segunda Marquetalia, Venezuela y Cuba	Clan del Golfo, Estado Mayor Central y Gobierno de Colombia	En mesa de negociaciones para proceso de paz
CLAN DEL GOLFO	Criminales	241 municipios y alianzas en 28 países	Nariño, Valle del Cauca, Chocó, Antioquia, Córdoba, Sucre, Bolívar, Atlántico, Magdalena, La Guajira, César, Norte Santander, Casanare, Meta, Bogotá	Grupos locales subcontratados, agentes estatales a nivel regional y local, puntualmente otros GAO. En el extranjero principalmente Cártel JNG, Cártel de Sinaloa, mafia calabresa y siciliana, redes de narcotráfico balcánicas.	ELN, disidencias de las FARC-EP, Gobierno de Colombia	Negociando términos, pendiente de aprobación Ley de Sometimiento
SEGUNDA MARQUETALIA	Ideológicas y criminales	61 municipios y presencia en Venezuela	Nariño, Putumayo, Caquetá, Córdoba, Sucre, Vichada, Guainía	ELN, Gobierno de Venezuela	Clan del Golfo, Estado Mayor Central, Gobierno de Colombia	Comunicado de disposición a dialogar y liberación de 16 presos
ESTADO MAYOR CENTRAL	Principalmente criminales, aunque al ser disidencias de las FARC alegan motivaciones ideológicas	119 municipios y presencia en Venezuela	Nariño, Cauca, Valle del Cauca, Putumayo, Tolima, Caquetá, Meta, Guaviare, Vaupés, Vichada, Casanare, Arauca, N. Santander		ELN, Segunda Marquetalia, Clan del Golfo, Gobierno de Venezuela, Gobierno de Colombia	Inicio de diálogos de paz el 16 de mayo

Elaboración propia con datos de Fundación Paz y Reconciliación (municipios y departamentos).

Figure 9. Main organised armed groups (OAG) in Colombia
Source: GARCIA-MIGUEL, Miguel. "The ambition and difficulty of the goal of Total Peace in Colombia", *Global Affairs and Strategic Studies*. Universidad de Navarra, 14 April 2023. Available at: <https://www.unav.edu/web/global-affairs/la-ambicion-y-la-dificultad-del-objetivo-de-la-paz-total-en-colombia>

As can be seen, the 2016 Peace Agreement between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC) is faltering in the conflict-affected peripheries of the country, which may even justify a slowdown in its implementation. In fact, the government of Iván Duque returned to the Strategic Zones of Integral Intervention in these areas and, with this, to the counterinsurgency strategies of the "clear-hold-build" model⁹⁶.

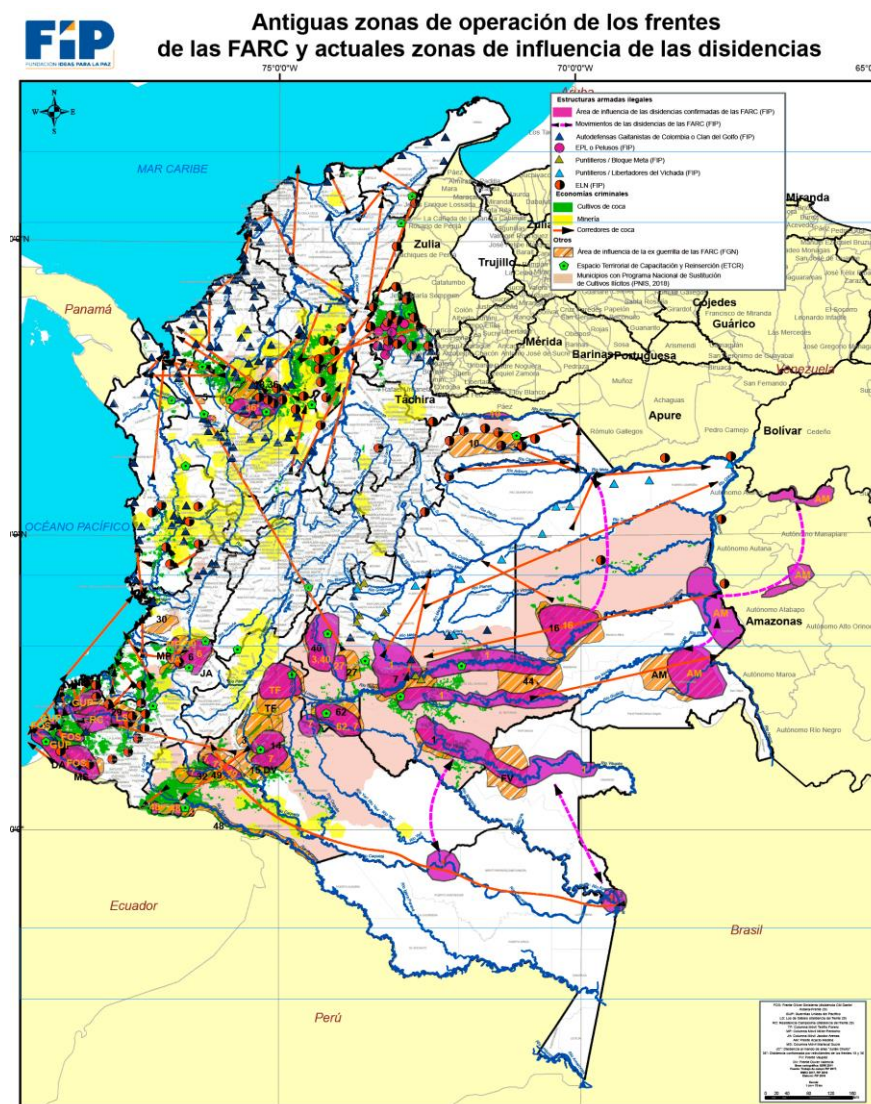


Figure 10. Former FARC fronts' areas of operations and current zones of influence of dissidents
Source: VERDADABIERTA.COM. Available at: <https://verdadabierta.com/frente-oliver-sinisterra-disidencia-que-persiguen-autoridades-colombo-ecuatorianas/mapa-general-disidencias-farc-informe-fip/> [consultation: 08/8/2023].

⁹⁶ INTERNATIONAL CRISIS GROUP. *Op. cit.*

Furthermore, Kroc's 2023 report states that among the challenges of reincorporation is the re-establishment of pathways for access to land for peace signatories, but above all to guarantee the security and protection of their lives. From the signing of the Agreement until June 2023, 373 ex-combatants were killed (17 by that date in 2023).

In any case, point one of the Agreement on Integral Rural Reform, and point two on political participation, have the lowest levels of implementation. In fact, a backlog in land allocation and adjudication was identified, with "only 1% of the total target of 3 million hectares adjudicated by October 2022". As for the Peasant Reserve Zones, the report states that they have not had the necessary impetus but have acquired new relevance within the Ministry of Agriculture.

Some authors point out that the spending structure is still inadequate, as needs are located in the rural periphery while resources are concentrated in the central state. The Comprehensive Rural Reform implies nothing less than a transformation of Colombia's territorial organisation, which requires enormous resources and also a congruent economic philosophy⁹⁷.

Although they are not visible, the economic issues are key, and if they are not addressed they render the plan meaningless⁹⁸.

They also incorporate a number of contradictions. To this effect, the return of land to despoiled landowners has increased legal insecurity in the countryside, as it makes it easy for legal claims to be filed and for proceedings to take place for an indeterminate length of time and with uncertain results.

The poor performance of the Fuerza Alternativa Revolucionaria del Común (FARC) party deserves mention. In the 2018 elections it won a meagre 0.34% of the vote in the Senate, some 53,000 votes, when winning a seat in normal conditions requires some 470,000 votes. FARC's dismal results put the party in fourteenth place in the political landscape. In the Chamber of Representatives, the result was even worse, with around 31,000 votes, representing 0.22% of the electorate.

And in the 2022 elections the result worsened again, the party obtaining 29,620 votes for the Senate, equivalent to 0.19%, and 20,501 votes for the Chamber of Representatives

⁹⁷ SÁNCHEZ IGLESIAS, Eduardo and SÁNCHEZ JIMÉNEZ, Vicente. *Op. cit.*

⁹⁸ BEN AMI, Shlomo. *Op. cit.*

(0.13%). This total of 50,121 ballot papers is less than the just over 85,000 votes which, as we have seen, the former guerrilla won in the 2018 elections.

However, the transitional regime approved in the Peace Accords grants the FARC at least five representatives in each chamber for two electoral periods. The Polo Democrático Alternativo needed more than 720,000 votes to obtain the same result.

The Special Jurisdiction for Peace has also suffered setbacks when trying members of the State Security Forces, the FARC-EP and other third parties involved in the process. This is part of the Integral System of Truth, Justice, Reparation and Non-Repetition and has been in force since 2017 to clarify "the most serious and representative crimes", which for this reason cannot be subject to amnesties or pardons.

It is not only a matter of guaranteeing all victims' rights and, in particular, the right to justice, but also of offering the truth to Colombian society and contributing to the achievement of a stable and lasting peace. Furthermore, to bring this episode to a definitive end, decisions must be taken to provide legal certainty to those who took part directly or indirectly in the armed conflict.

This jurisdiction has already made its first indictments as it moves up the chain of command in the "false positives" cases or tries members of the FARC-EP for the use of sexual violence as a weapon of war.

In a 2018 report, the International Crisis Group argued for the need to convince armed groups - including dissidents and *Gaitanistas* - to collectively demobilise and return to civilian life. This would provide the youngest and lowest paid with a way out.

The problem is that neither of these two groups was eligible for individual re-entry programmes, a 2018 law on the conditions and benefits of the surrender of armed groups, which was to be applied to the *Gaitanistas* due to progress in negotiations with the government, having been rejected for application. Consequently, there was no acceptable legal framework under which any group could demobilise collectively (except the ELN, which is recognised as a party to an internal conflict)⁹⁹.

To alleviate rampant violence, in the International Crisis Group's view it was necessary to provide the precise legal instruments for guerrillas and criminal groups to lay down their

⁹⁹ INTERNATIONAL CRISIS GROUP. *Op. cit.*

arms under the legal terms established by the International Law of Armed Conflict (ILAC). To this effect, in the opinion of the aforementioned research group, they could be legitimate targets for demobilisation¹⁰⁰.

La Paz Total. Law 2272 of 2022 and the National Development Strategy 2022-2026

The arrival of Petro's rise to power has meant that President Santos's political agenda has once again been taken up, this time with a much greater ambition, that is, by steadfastly seeking to address the resolution of the structural factors of the Colombian conflict, as well as its manifestation and violence, regardless of the aims of those who practise it. This is a commitment to a UN concept that can be sensed in the development of Petro's political programme: the culture of peace.

For the culture of peace¹⁰¹, in its original conception, war and violence constitute a cultural activity, an attitude, and can therefore be redirected through education, an education for peace, as Rousseau himself pointed out. If war is "an activity of the spirit" and is inscribed in the minds of men, peace is only possible when it is built in the same place and replaces it.

Peace is defined not only as a mere idea or a utopia, but as a culture, a civic culture, an activity of reason called to impose itself as a long process of first limiting - by eliminating war - and then annulling the emotional impulse, the attitude, on which the recourse to violence is based. It is therefore, at its very origins, a long-term oriented pedagogical and transformation project.

This concept goes beyond any simplistic approach to the idea of peace - that is, understood as the mere end of violence - shaping a process of cultivation - *culture* comes from *cultivation* and, as such, must germinate - rather than construction; that is, according to the UN definition, the flourishing of "a set of values, attitudes, traditions, behaviours and lifestyles".

Such a UN/UNESCO proposal is not possible without overcoming the exploitation of man by man, the teaching of a culture of war, authoritarian control, racism, environmental

¹⁰⁰ *Idem.*

¹⁰¹ For more information on this concept, David Adams' book *Culture of Peace* is recommended. A *possible utopia* (Herder, 2015).

degradation, the arms and drugs trade, male domination and violence against women, the control of information, the identification of perceived enemies, and so on. In short, without providing real justice¹⁰².

Other cross-cutting elements at the core of the project are sustainable economic and social development, respect for human rights, promotion of democratic participation, women's equality, promotion of understanding, tolerance and solidarity, participatory communication and international peace and security.

In the wake of Rousseau, the original UNESCO project gives an essential role to local governments, made up of elected representatives; to civil society, through its multiple movements (which act in the fields mentioned in the previous paragraph); and to NGOs, because of their immediate proximity to citizens for the activation of society. At the same time, it identifies the state in its attempt to monopolise violence as one of the agents that hinder the installation of the culture of peace model, advocating its replacement by the people. Decisions are thus bottom-up, gaining legitimacy and commitment.

The advent of President Gustavo Petro took place in the context of significant violence, which is why, as a central axis, he adopted the policy of Total Peace, which favours dialogue and negotiation as the main strategy against armed groups. The key policy provisions are Law 2272 of 2022 and the National Development Plan 2022-2026. Both are the basis for further deployment of complementary rules.

Petro has proposed moving towards Total Peace by means of a shock plan to address the underlying issues behind the conflicts. Its most important proposals are in line with the 2016 Accords and are aimed at fostering citizen participation for peacebuilding, promoting dialogue and cooperation between different sectors and communities for the legitimisation of the whole. In line with what was agreed in 2016 and already under way, Petro is committed to comprehensive rural development - since it is in this space where conflicts are located - while addressing issues such as inequality in access to land and natural resources and implementing sustainable and inclusive policies.

A cultural transformation is also sought. This is done by promoting education in values and peace skills, as well as respect for human rights and cultural diversity.

¹⁰² ADAMS, David. *Op. cit.*

And it is also about reforming the justice system. To this end, transitional justice is strengthened and comprehensive reparation for victims, punishment and reintegration of ex-combatants are guaranteed, seeking a new balance between justice and peace that considers the peculiarities of the new armed groups. The programme is presented as a commitment to human rights and social minorities to solve the structural problems underlying the conflict.

The aim is to negotiate with all groups simultaneously so that none of them is strengthened by taking advantage of the power vacuums created by the abandonment of criminal activities in some areas.

The keys or pillars of President Petro's proposal include the fulfilment of the Agreement signed with the FARC-EP (first pillar), as well as the establishment of political dialogues in which agreements are reached with organised armed groups, relevant groups that have a responsible command and control over a territory that allows them to carry out sustained military operations¹⁰³.

This implies peace talks with the ELN (second pillar) and the subjugation to justice of FARC dissidents and recidivists (third pillar), who may fall into the previous category provided they reach agreements that contribute to their dismantling. The government can propose to these armed structures a legal and social dialogue to get them back on the road to a negotiated solution to the conflict¹⁰⁴.

In line with this, a negotiating table has been set up with the ELN with a six-point agenda: 1) Participation of society in peacebuilding; 2) Democracy for peace; 3) Transformations for peace; 4) Victims; 5) End of the armed conflict; 6) Implementation.

Notably, the debate on the economic model was absent in previous peace processes but is now feasible because of the ideological uniqueness of the current government. In this line, paragraph 2.2 proposes: "Examine, from a democratic perspective, the economic model, the political regime and the doctrines that impede unity and national reconciliation". This approach is complemented by section 3.2, which establishes the discussion of "public policies aimed at overcoming poverty, social exclusion, corruption and environmental degradation, in the search for equity". Meanwhile, point 5 refers to

¹⁰³ VALENCIA AGUDELO, Germán Darío. *Op. cit.*

¹⁰⁴ *Idem.*

issues such as "the determination of conditions and guarantees for the security and exercise of ELN politics" (5.2), "the eradication of all forms of paramilitarism" (5.3) and "the bilateral ceasefire and hostilities" (5.5)¹⁰⁵.

The problem with this process is the decentralised nature of the ELN structures as opposed to the FARC, which had a centralised command¹⁰⁶.

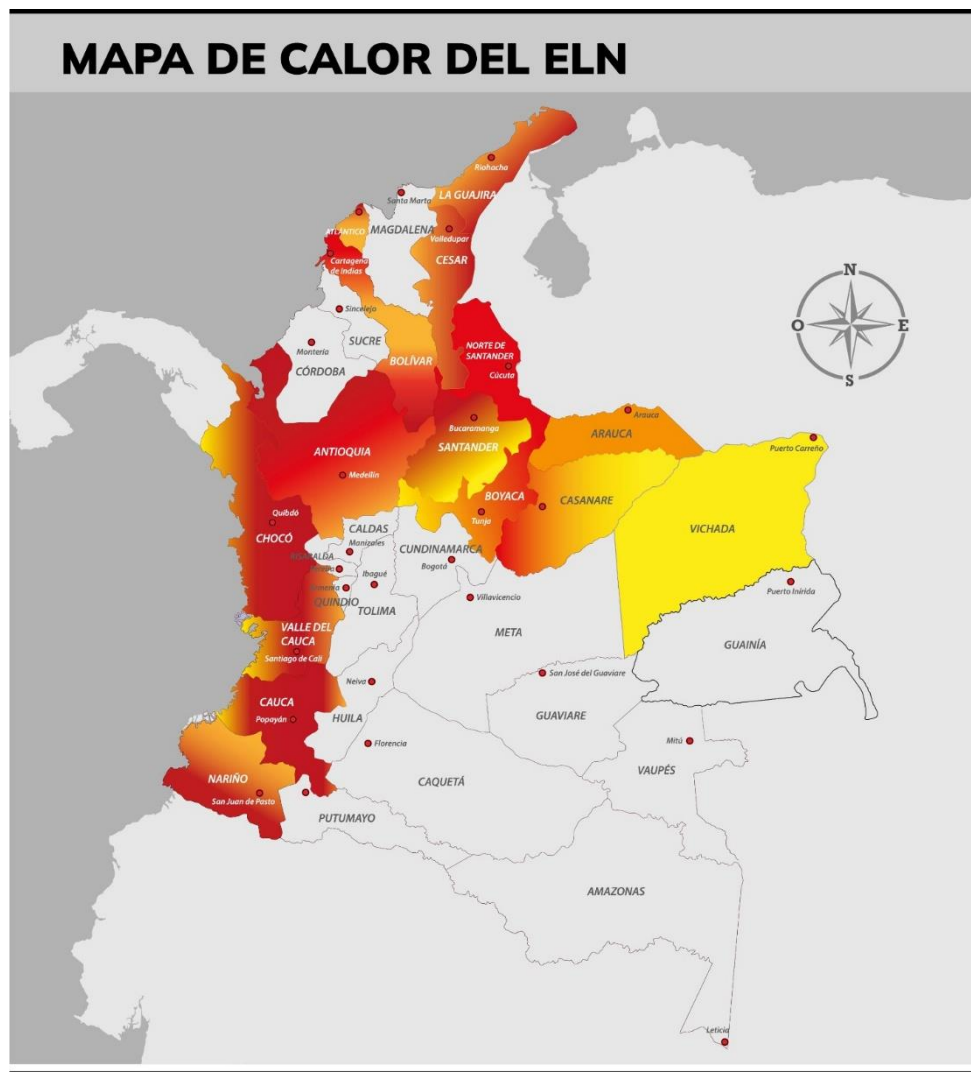


Figure 11. Geographical distribution of the ELN
 Source: FITZGERALD, María F. "El mapa de calor del ELN", *El Cambio*. 07 July 2023. Available at: <https://cambiocolombia.com/pais/el-mapa-de-calor-del-eln>

¹⁰⁵ GIORDANO, Eduardo. *Op. cit.*

¹⁰⁶ PASTRANA BUELVAS, Eduardo and VALDIVIESO COLLAZOS, Andrés. *Op. cit.*

This dispersed nature, coupled with a lack of ideological unity and territorial deployment, makes it difficult for the ELN to maintain a single position that would bring the negotiations to a successful conclusion. In this regard, its central command has five components: political, economic, social, international and military. So, if having agreed on a single agenda it was difficult to negotiate with the FARC, which had a vertical and unified structure, it is even more difficult to negotiate with the FARC in this case. Moreover, it is not a matter of negotiating with the ELN as a single entity, it is about negotiating different agendas and reaching agreements with each regional fragment. It is in Venezuela - and with the mediation of the Venezuelan president - that the talks are taking place¹⁰⁷.

The ELN is proposing to lighten the rigours of the prison system for all prisoners, and a special regime for ELN members with health problems. Whatever the case, peace with the ELN has become a strategic objective for Petro, as it might be more practicable than the rest of the objectives he had set for himself, with some of the reforms of his programme, such as health and labour, seeming to have run aground and polls and scandals questioning his leadership. President Petro urgently needs to achieve tangible and important results.

With the dissidents, and particularly with those who left the Havana process, the issue is not as easy, as there are even those who argue that there are legal reasons against the recognition of such groups as eligible¹⁰⁸: the Peace Accords required those who did not comply with them to go before the "ordinary justice system".

As of July, some 26 groups of varying capacities have expressed their intention to join the initiative. The government announced a multilateral ceasefire with 10 of them, including the Estado Mayor Central, the Segunda Marquetalia and the Clan del Golfo¹⁰⁹, although the possibility of reaching a peace agreement with the criminal groups, and specifically with the latter, is still the subject of intense debate.

We are faced with an attempt to provide a way out of the conflict in its third pillar, the dissenters, which is an intermediate point between political negotiation and submission,

¹⁰⁷ *Idem*.

¹⁰⁸ NIÑO, Catalina. "Los obstáculos para la Paz Total en Colombia", *Revista Nueva Sociedad*, n.º 305. May-June 2023. Available at: <https://nuso.org/articulo/305-obstaculos-paz-total-colombia/>

¹⁰⁹ CAJIAO V., Andrés. "Petro and the peace and security strategy: effects and warnings". Fundación Ideas para la Paz, 22 August 2022. Available at: <https://ideaspaz.org/publicaciones/investigaciones-analisis/2022-11/petro-y-el-cambio-en-la-estrategia-de-paz-y-seguridad-efectos-y-alertas>

normally demanded of any citizen before the law in the case of the various criminal structures. The fourth pillar, criminal groups, is built around two concepts: *subscribing* and *committal*, proposed to the other organised armed groups. They will be offered "lenient criminal treatment" and non-extradition as an incentive to hand over weapons, assets and proceeds, provide information on drug trafficking routes and redirect themselves towards legal activities¹¹⁰. Local groups subcontracted for criminal activities should be considered under this umbrella.

And with the Clan del Golfo it is the same as with the ELN: we are dealing with regional military leaders, with their own armed means and based in defined territories, who have autonomy and can follow, or not, what their central leadership decides. Added to this is the difficulty posed by the presence of Mexican drug trafficking groups. We only need to recall that in 2005 the self-defence groups carried out their own internal cleansing to be able to negotiate. And there have already been assassinations among Gaitanista leaders with a view to positioning the group for negotiation.

Civil society engagement, the fifth pillar, would take the form of regional and territorial dialogues with the largest number of social organisations on the basis of representativeness. This would serve to effectively involve populations in the design of the agenda and legitimise the process by addressing the diversity of contexts and settings in which it takes place. In this way, as a re-edition of "territorial peace", the diversity of the conflict, which affects social collectives and territories differently, would be addressed. In any case, a cross-cutting approach is needed in each case: black communities, indigenous communities, children and LGTBIQ+ populations¹¹¹.

Criticism

At this point, it is notable that in its May 2023 issue, *The Economist* magazine described Total Peace as "total chaos", considering it "unattainable". In this critical vein, it is important to note that the chapter dedicated to Total Peace in the foundations of the National Development Plan does not go into the specifics of the measures to be implemented and is instead devoted to historical and reflective questions. And when

¹¹⁰ VALENCIA AGUDELO Germán Darío. *Op. cit.*

¹¹¹ *Idem.*

tackling such sensitive issues as a political transition process, transactional justice and redesigning institutions do not allow for vagueness.

For example, on 31 December 2022 the president announced ceasefires with the ELN, the Clan del Golfo, FARC dissidents and the Pachenca. However, on 3 January the ELN Central Command denied this. In addition, the Clan del Golfo continued its usual criminal activities, and on 19 March, Petro suspended the ceasefire with the latter group. And this at a time when no protocol had been signed to this effect and no verification mechanisms had been established by the parties¹¹².

And while clashes with the police were reduced by 79%, clashes between groups increased by 70% - probably in an attempt to strengthen their negotiating position territorially and obtain greater concessions - in the first three months of the ceasefire. For this reason, these groups are accused of having benefited from a unilateral "ceasefire" and reduced police pressure to continue their operations and even to strengthen themselves¹¹³.

Also of concern is the approach to security and justice, particularly with regard to the accountability of armed groups and the protection of victims¹¹⁴. The failed Submission Bill established a maximum sentence of eight years for crimes against humanity - later raised to ten - allowing those involved to keep up to 6% of the proceeds of their involvement in illicit activities, up to a maximum of \$2.5 million. Those already in prison had to serve at least ten years for their offences. Criminal gangs will have a maximum of two years to voluntarily disband¹¹⁵.

Critics of Petro's initiative also highlight the lack of clarity in terms of objectives and strategies, which makes implementation and monitoring difficult. To this effect, the legislative roll-out up to July 2023 does not set out the practice and roadmap for a path that has already begun to be travelled. This undermines the credibility of a plan which, to be implemented - and even more so when it affects core state issues - must be credible and clear to those who must carry it out.

¹¹² NIÑO, Catalina. *Op. cit.*

¹¹³ *Idem.*

¹¹⁴ TENA CORTES, Hernán Augusto. *Op. cit.*

¹¹⁵ NIÑO, Catalina. *Op. cit.*

Nor are there any operational tools that would serve to concretise what so far remains as humanist or philosophical principles that should guide administrative acts, since there are no regulations for their specific implementation, the careful detail of which would serve to protect and defend the officials responsible for an always controversial and difficult development.

Therefore, since the express failure of the Submission Bill, the legal vacuum has been even greater. For example, specific regulations are needed on the criteria for the actions of the security forces in conflict zones and vis-à-vis criminal actions during ceasefires, when violence, far from de-escalating, increases.

Other authors point to the political obstacles this initiative must face, casting doubt on its viability due to the consensus that its approval requires and which society rejects, as evidenced by the failure of the Subjugation Law. What is more, what has happened underlines its impracticality insofar as cooperation - and even loyalty - is demanded from actors who do not abide by the rules decided by societies for personal gain and who, as a matter of principle, are unreliable, if only because of the business they are in: crime. Moreover, those involved are groups with diverse and even conflicting interests.

Others argue, therefore, for the need to clearly differentiate and disaggregate the processes of political transition towards peace - that is, those of actors with political ideology (the ELN, let us remember, has combatant status) - from those that refer to the subjection to justice of armed actors who lack ideology insofar as they seek illicit profit. But a disaggregation of this kind is not clear-cut. Groups such as the Clan del Golfo call themselves Autodefensas Gaitanistas de Colombia to claim a political nature for their criminal behaviour.

This creates conceptually complex situations. For example, the suspension of arrest warrants for drug traffickers, given the relationship between the economy, drug trafficking and politics, who is affected, and the fact that these are crimes of international interest. Can a state governed by the rule of law sign a peace agreement with drug traffickers? From the outset, it seems that they should be subject solely to the law.

The multilateral ceasefire with drug traffickers is equally unacceptable, critics argue, because it is not even permissible to propose an agreement to them that would serve to justify the obligation to comply with the law to which all states governed by the rule of law

are summoned. And a ceasefire is only possible with the formalisation of an agreement and its corresponding verification protocol, which cannot be signed in the case in point because it is contrary to the essence of the rule of law.

Moreover, continuous pardon processes encourage the idea of continuing criminal behaviour until the next wave of pardons: if this is not achieved in the current wave, it is to be expected. The case described is precisely that of those who abandoned or breached the 2016 Peace Accords, expressly contravening them.

On the other hand, the idea of a culture of peace does not take root in society either, because although it serves to give the plan its name, it is not even being taught.

Another recurrent criticism of the proposal is that it is simplistic and Adamist, i.e. it does not consider the experience of a process that has lasted more than forty years. Critics argue that despite its emphatic name, in practice the proposal only aims at a process of disarmament, demobilisation and reintegration into civilian life, neglecting the resolution of the structural problems underlying the conflict¹¹⁶.

Against this backdrop of violence, Total Peace tackles drastic changes in an equally resounding way. However, the transformations and changes in the institutional model that the process envisages for its development, critics argue, induce weaknesses in the system at a time of great stress as a consequence of increased violence.

There is therefore a desire to change the structure, dependence and character of the police, or to replace military service with a social service for peace. Moreover, these proposals are defined in very ambiguous terms, requiring the construction of a concrete institutional apparatus to accompany the major transformations that are only enunciated without any foresight. There is, it should be added, a lack of the necessary foresight in terms of institutional coordination, which adds to the vagueness of the plan.

And this when there are regions that experience high levels of violence and the mechanism whose transformation is to be undertaken serves to limit it, which means taking unnecessary risks.

It is a risk that is difficult to assume to try to change institutions, norms and the logic of conflict, along with the culture from which this is approached, in a simultaneous and non-

¹¹⁶ VALENCIA AGUDELO, Germán Darío. *Op. cit.*

sequential way, that is, in the trial-error-adjustment mechanics. And this while the country's structural problems are being resolved.

Global and regional implications

It should be noted that the problem raised in Colombia is of global interest. A country's legal order is primarily based on compliance with its constitution and the international treaties it has signed. An exceptional pardon for ordinary serious criminals could be seen as undermining them. States cannot ignore the many commitments made at the international level in the fight against organised crime - whether at the UN (such as the Palermo Convention), Latin American, bilateral or multilateral level - by favouring undue impunity and omitting the justice and reparation due to victims.

The international precedent that impunity for such serious crimes could create is very relevant and its consequences must be considered. The international community's support for the plan, because of its legitimacy, is imperative under these conditions.

At regional level, the end of the Cold War relegated questions of ideology to the back seat, which in turn reduced interference in the political life of these countries; this was the practical realisation of the ideological veto. As a result, progress was made in the democratic quality of the states of the region, with a very healthy alternation of power within the right-left game, which has served to strengthen institutional development.

Progress in the establishment of real and effective democracy has also meant the delegitimisation of the armed struggle as a means to access power when this can be done through electoral processes, and the guerrillas were also in a compromised military situation. Both factors simultaneously favoured the 2016 Peace Accords.

In this context, the diplomatic efforts of President Santos were able to align contradictory and even conflicting interests to make his peace plan possible and allow it to be sustained. The second Obama Administration's rapprochement with Cuba turned Colombia into a bridge country with Venezuela, generating in the process a convergence of forces on which the 2016 Peace Accord was built. This would not have been possible without the commitment and support of neighbouring countries as those affected by the conflict.

A process of this magnitude requires consolidation and underpinning. The countries that are now guarantors of the Total Peace process, and heirs to the 2016 process are Brazil, Cuba, Chile, Mexico, Norway and Venezuela. And the countries of accompaniment, support and cooperation are Germany, the US, Spain, Sweden and Switzerland. They are distinguished by their level of commitment. The EU also committed to the 2016 peace process by using the Peace Fund to this end, but as of July 2023 had not made a pronouncement on Total Peace as such even though it supports it. Funding makes commitments more real.

If a simile can give us an idea of the phenomenon of systemic corruption in all its forms, it is that of a large balloon filled with water which, when you squeeze one edge, causes a bulge at the other. Any solution therefore involves diagnosis and treatment at least at regional level. And as in the vast majority of cases corruption affects many levels, by the same logic this forces us to adopt comprehensive solutions, which are almost always very complex.

The result in this case has been the spread of drug trafficking to neighbouring countries. As an example, the destruction of plantations in Colombia led to a proliferation of crops in Bolivia and Peru. But also, the violence generated since 2006 by the “war on drugs” has led to an increase in violence in Central America, mainly in Guatemala, Honduras and El Salvador. This phenomenon, known as the “cockroach effect”¹¹⁷, was replicated in the Colombian environment.

For their part, some Mexican cartels have extended the scope of their activity from the US to Colombia. In this regard, some authors suggest that the Colombians have ceded the entrepreneurial leadership of the drug business to the Mexicans. And the Colombian cartels did the same by moving northwards. In Brazil we have the case of the Primeiro Comando da Capital, probably the largest criminal organisation in Latin America, with great power in Paraguay and Bolivia and present in Colombia, Peru, Uruguay and Venezuela, and even seeming to have moved its activity to Europe¹¹⁸.

¹¹⁷ RODRÍGUEZ PINZÓN, Erika María. *Op. cit.*, p. 72.

¹¹⁸ SCHULMEISTER, Gaston H. *Op. cit.*

The growth in cocaine production, coupled with the atomisation of the Colombian cartels, has led to their loss of power to either the Mexicans, who have established themselves on Colombia's Pacific coast, or the Venezuelans.

The presence of Aztec organised crime is certainly not new. This has not only translated into the purchase of cocaine, fields for crops and laboratories, but also into the financing of armed groups. Its penetration has been caused by the chaos in the Colombian market, which made it impossible for Mexicans to guarantee shipments in the quantity, quality and time required by demand, leading to inefficiencies. In any case, Mexican criminal structures have lost their confidence in the transport capacity of their local partners and have preferred to organise their own infrastructure to ensure a reliable supply to the US¹¹⁹.

Similarly, the Colombian groups that control cocaine production in some regions close to Venezuela operate only as suppliers to the networks already established in Venezuela, which are in charge of the market. To this effect, Colombian drug traffickers have seen their activities reduced to national borders and to the status of supplier of distribution networks located in neighbouring countries¹²⁰.

These groups operate with the opposition of the state in a complex criminal ecosystem of rivalries and (temporary) alliances with extra-regional criminal groups such as the Ndrangheta and the Chinese Triads¹²¹. These are highly resilient and territorially embedded organisations that have successfully overcome the stress of the capture of their leaders and use their significant operational capabilities to carry out a wide range of activities around the world from their regional quasi-sanctuaries. In addition, they are linked to other criminal and terrorist groups.

Organised crime has also led to the "narcotisation"¹²² of relations with the West, as the problem has been introduced into security agendas and has affected or conditioned these relations. For example, it has had a significant impact on development aid policy. To this effect, a sort of "geopolitics of drug trafficking" is being generated, with countries being classified according to their attitude towards this process. Moreover, their independence

¹¹⁹ ORTIZ MARINA, Román. *Op. cit.*

¹²⁰ *Idem.*

¹²¹ HERNÁNDEZ, Anabel. *Op. cit.*

¹²² RODRÍGUEZ PINZÓN, Erika María. *Op. cit.*, p. 72.

is being modulated or conditioned by making the granting of aid contingent on attitude and sensitivity.

Meanwhile, the foreign policy of the countries in the region, making use of drug trafficking, is transformed into an instrument of the state to ensure or gain asymmetry vis-à-vis the actors that challenge it internally, both militarily and politically¹²³.

Similarly, military pressure - first from Plan Colombia and, above all, Plan Patriota - displaced the guerrillas towards the peripheries and the borders, that is, towards Venezuela, Peru and Ecuador. And there were recurrent complaints from neighbouring countries about the chemical crop eradication strategy, which they saw as affecting the health of their citizens. Operation Phoenix, which led to the death of guerrilla leader Raúl Reyes in 2008, was a milestone in this regard. Its development involved the bombing and penetration of Ecuadorian territory.

Much of Colombia's eastern and southern borders are blurred and ill-defined, through which flows of all kinds circulate almost freely. This diffuse nature of the border also affects the exercise of sovereignty and operations on the ground¹²⁴. In fact, the signing of the 2016 Peace Accords is due to the prioritisation of Colombia's relations with Venezuela and Ecuador, its neighbours most affected by the cross-border spillover of the conflict.

Added to this is the political and social crisis in Venezuela. This has made Colombia a base of operations for criminal groups - not a few of whom have moved into the country - a recipient of illicit flows and a springboard for drug shipments to markets¹²⁵. Moreover, Latin America is fractured in geopolitical terms by the so-called Barnett fault, which affects the Andean countries and includes them in the same space.

It should not be forgotten that supply comes from Central and South America, but demand and markets are in the US. And money talks. From the US there is a simultaneous demand for drugs and repression of trafficking.

Focusing the fight against drugs on external supply, and not on internal demand, is to prioritise a short-term, security-based approach over a public health approach. This also means ignoring the "intermestic" nature of the problem and shifting to Central Americans

¹²³ PASTRANA BUELVAS, Eduardo and VALDIVIESO COLLAZOS, Andrés. *Op. cit.*

¹²⁴ BEN AMI, Shlomo. *Op. cit.*

¹²⁵ ORTIZ MARINA, Román. *Op. cit.*

the burden of a struggle for the benefit of the North Americans and not themselves¹²⁶. In this regard, it is worth recalling that Presidents Misael Pastrana (1970-1974) and Alfonso López Michelsen (1974-1978) already demanded the co-responsibility of consumer countries in anti-drug matters, as well as multilateral dialogue¹²⁷.

This creates a national dilemma, that is, for US public opinion, because the most acceptable policies are those that place problems on the other side of the border while simultaneously asserting national sovereignty as a way of avoiding the burden and responsibility for their realisation. On the contrary, to be effective, response policies must be comprehensive and long-term oriented, and they must not allow for border criteria. It is foreseeable that this trend will increase in the coming years due to the pure logic of globalisation.

Believing that demand can be eliminated by prohibiting and repressing supply not only ignores basic criteria of economics, but also incorporates relevant political tolls, as it attacks the fundamental rights of populations without even offering tangible results or improvements. The logic of war additionally incorporates the risk of favouring social control by establishing the precise mechanisms for it.

A total of 60% of the coca on the North American market has, at some point, been produced by the FARC. However, in line with the above, a closer examination of US "narco-diplomacy" shows that, at times, the war on drugs has served to justify other policies that are not directly related to it, if not are in direct contradiction.

Moreover, this integral or regional vision of Colombia's multifaceted problems is also present in the country's regional policy, which has shrunk the space in which the guerrillas used to operate. Indeed, the 2016 peace process was made possible by the geostrategic shift in the regional environment¹²⁸.

Shlomo Ben Ami goes further and suggests that the solution to the Colombian problem requires the country to undertake a Marshall Plan of historic dimensions to raise its international infrastructure to the level required. It is also the key to national integration,

¹²⁶ CORTÉS, Ernesto. "Cómo comprender y abordar el crimen organizado en los estudios sobre el mercado ilícito de drogas", en VV. AA. Repensando el tráfico ilícito de drogas en Centroamérica: un enfoque desde las ciencias sociales. FLACSO, October 2020.

¹²⁷ PASTRANA BUELVAS, Eduardo and VALDIVIESO COLLAZOS, Andrés. *Op. cit.*

¹²⁸ BEN AMI, Shlomo. *Op. cit.*

productivity and the expansion of the state's presence in Colombia's vast geography. Where there is a state, there are no guerrillas and no criminal gangs; where there are guerrillas and criminal gangs, there is no development and no prosperity¹²⁹.

In addition, Colombia can act as an exporter of violence to its surroundings, whether or not that violence is related to drug trafficking. Narcos, guerrillas and the armed forces are all experienced in it. Consider that, regardless of their reasons and links, the assassinations of the president of Haiti and a presidential candidate in Ecuador were carried out by Colombians.

Latin America is a priority for Spain's foreign policy because of its human, historical, social, cultural, political, economic and linguistic ties. And Colombia is a relevant country in this community. It would therefore be incomprehensible if our country, which is also a member of the EU and a major player in the peace process, were to remain on the sidelines and not support it, if it were deemed viable, or not make efforts to make it viable.

In terms of relations with Spain, Colombia is one of its six strategic partners in Ibero-America. The Strategic Partnership Plan was signed in 2008 and renewed in 2015 with a Joint Update Declaration¹³⁰.

The bilateral trade balance has traditionally been favourable to Colombia. In 2021, Spain ranked as the fifteenth destination country for Colombian exports and the ninth supplier. Spanish exports to Colombia from January to August 2022 amounted to €982.25 million and imports to €998.88 million, resulting in a trade balance favourable to Colombia, mainly due to the increase in Spanish demand for energy products. Spain's gross investment in Colombia is €26.59 million, making it the second largest foreign investor in the country; Colombia's gross investment in Spain amounts to some €5.46 billion. The main sectors of Spanish investment are infrastructure, information and communication technologies, and business services. The main Spanish companies in Colombia are Telefónica/Movistar, BBVA, Banco Santander, Grupo Prisa, Repsol, Indra and Acciona¹³¹.

¹²⁹ *Idem.*

¹³⁰ MINISTRY OF FOREIGN AFFAIRS AND COOPERATION. "Colombia Country fact sheet". 2022. Available at: https://www.exteriores.gob.es/documents/fichaspais/colombia_ficha%20pais.pdf

¹³¹ *Idem.*

Spanish cooperation with Colombia takes the form of the Colombia-Spain Country Partnership Framework (MAP), the current programme covering the period 2020-2024. Colombia is the Latin American and Caribbean country that receives the largest volume of Spanish development aid¹³².

The problem of Colombian drug trafficking directly affects Spain, which has a privileged geostrategic situation and shares the same language. This facilitates contacts, understanding and thus penetration, making our country one of the main gateways for narcotics to Europe. For this reason, together with Italy, Spain is the country where Colombian networks have forged alliances. These are spread throughout their territory, where they even have their own distribution.

As a result, operating in Spain, the profit per kilo of coca is up to three times higher than the profit obtained by selling to Mexican intermediaries for resale in the North American market. The fact is that the established networks offer the added advantage that cocaine is not mixed with other substances ("not cut"), as is the case when it is incorporated into the flows of the Central American corridor. In the case at hand, this process is done once the drug is on European territory, at a point closer to its final distribution, which increases the net profit margin. The result is that Spain, Italy and the UK account for 73% of patients entering cocaine-related treatment in Europe.

A 2018 UNODC report¹³³ examines the drug trade situation between Colombia and Spain. In the period from 2010 to 2015, there were 2,619 seizures of drugs originating in Colombia. A total of 80% of the seizures were of cocaine (up to 85 tonnes) and 17% of marijuana (42 tonnes).

Most of the coca went to Venezuela (52 %), followed by Spain (18 %). Mexico (11 %), the US (8%) and Puerto Rico (4%) are the other main destinations. Venezuela was the final destination of cocaine leaving Colombia in 37% of seizures and Spain in 36%. In the case of marijuana, 99.9% went to Venezuela.

Conversely, the most frequent drug seizures destined for Spain in the same period were cocaine and marijuana, which accounted for 60% (114 tonnes) and 35% (1,014 tonnes)

¹³² *Idem*.

¹³³ RENGEL, Carmen. "This is what drug trafficking networks between Colombia and Spain look like", *The Huffington Post*. 28 July 2018. Available at: https://www.huffingtonpost.es/entry/asi-son-las-redes-de-narcotrafico-entre-colombia-y-espana_es_5c8a80f4e4b0f489d2b37d1a.html

of the total. The countries of origin of the cocaine in these cases were Venezuela (22%, 25 tonnes), Colombia (14%, 16 tonnes), Ghana (13%, 15 tonnes), Ecuador (12%, 14 tonnes) and the Dominican Republic (6%, 7 tonnes).¹³⁴

Drugs, in addition to being a public health problem, introduce crime into society and, through corruption, weaken and hollow out state structures, generating illicit flows and normalising the use of violence. Let us remember that drugs and criminal groups need to parasitise state structures to prevail.

Also of note is the EU's significant commitment to the Colombian conflict, creating the European Peace Fund in 2016, a financial support mechanism for the implementation of the provisions set out in the Peace Agreement, which it now intends to extend to Total Peace.

The European Peace Facility is made up of the EU itself, 21 EU member states, the UK and Chile and involves a total investment of more than €130 million. This mechanism seeks to contribute in an effective and coordinated manner to the peacebuilding and economic and social development of the territories most affected by the armed conflict, channelling the contributions of its donors¹³⁵.

To this end, this fund places special emphasis on rural development; support for public administration reform programmes; decentralisation and citizen participation; the contribution to the reincorporation into civilian life of former FARC-EP members; the promotion of gender equity; the environmental sustainability of the territories and the reinforcement of resilience in the most vulnerable population groups (mainly young people and indigenous and Afro-descendant communities)¹³⁶.

Conclusions

Colombia is a rich and diverse country, although it is endowed with a difficult geography whose singularities are seldom adequately considered to understand its dynamics.

¹³⁴ *Idem.*

¹³⁵ EUROPEAN UNION, EUROPEAN PEACE FUND - COLOMBIA and GOVERNMENT OF COLOMBIA. "On the European Peace Fund in Colombia". Available at: <https://www.fondoeuropeoparalapaz.eu/sobre-el-fondo/>

¹³⁶ *Idem.*

Historically, the country's political agenda has been built on the interests of a small number of departments. This has led to uneven development and to relatively isolated areas from which the state is to some extent absent. And this in the context of great social inequality.

This has led to contradictions between centre and periphery, town and country, and class and ethnicity. Therefore, a strategic infrastructure plan would undoubtedly help nation-building and would transfer the state's presence throughout the country's territory, a key aspect for the resolution of the conflict or, better still and due to their diversity, of the conflicts.

Violence has been a regular feature of Colombia's history and has been normalised to the point of reaching conflict levels. For this reason, paradoxically, it does not serve to send political messages in Ibero-America: it has no impact or era. And the end of the Cold War put an end to the ideological basis of the guerrillas, who since then began a military drift and ended up being tainted by drug trafficking and losing all legitimacy. As a result, there is no ideology today that can provide the slightest patina of legitimacy to the violence in the country.

Its wealth, its culture of violence, the vulnerability of its borders, its corruption, its weak state institutions, disenchantment and impunity explain the growth of organised crime in the region. It is therefore necessary to address the social and developmental side of the problem, which is at the root of the problem. The military stalemate, i.e. the state's inability to win a definitive victory, makes finding a point of equilibrium necessary.

The 2016 Peace Accords, the result of a previous process initiated in the 1980s, and the return of these groups to political life made clear the lack of legitimacy of the hitherto main opposing military actors, the FARC. This lack of legitimacy was reflected in the 2022 elections, where they obtained 0.19% of the vote (even worse than in 2018, when they achieved 0.36%), a far cry from the results obtained by the Patriotic Union party, which emerged from the FARC as a result of the Uribe Accords.

By making visible the real support the FARC had, the Peace Accords served, de facto, to delegitimise the violence and highlight the limited representativeness of these illegitimate military actors, which does not detract from the fact that there are structural problems that contribute to their existence and need to be addressed.

Paradoxically, once again, the solution to a conflict against the state requires more state, and not only a greater presence of the security forces. Tilly's dictum is once again fulfilled: "War made the state and the state made war".¹³⁷

Real political power is not force, but first and foremost the ability to create. Its absence during the period of transition to peace explains the increase in violence, which has reached pandemic levels and in some regions such as the Pacific coast even surpassed them.

Far from disappearing, violence has simply transformed and rearranged its objectives. As a result, illicit crop cultivation has increased, illegal mining has expanded, timber trafficking has consolidated and extortion has become more frequent. The reason is that the power vacuums brought about by peace have been filled by new actors, or by the same ones in different costumes. Not surprisingly, the offer to which it responds is justified in markets that are well established and have remained unchanged. Those who were already involved in crime, even if only for ideological reasons, do not find it difficult to remain in it.

In fact, at least six armed conflicts are currently taking place in the country, mostly affecting the departments of Antioquia, Arauca, Chocó, Cauca and Norte de Santander. And they have as contending parties organised armed groups as diverse in aims and methods as the ELN, the FARC dissidents, the Second Marquetalia - a resurgence - and organised criminal groups such as the Gulf Clan, the Oficina, the Pachenca, the Caparros, the Rastrojos and the Pelusos¹³⁸.

After seven years, the six points on which the Peace Accord is based are far from being implemented as planned. Neither has the economic situation experienced by the country since 2016 been favourable for the implementation of the plan. However, President Gustavo Petro's programme is along the same lines, and is even conceived as a continuation and deepening of this agreement.

¹³⁷ "War made the state and the state made war" *The formation of national states in Western. Europe.* Princeton, New Jersey, 1975, p. 42.

BALLESTEROS MARTÍN, Miguel Ángel. "La estrategia de seguridad y defensa", *Fundamentos de la estrategia para el siglo XXI* (CESEDEN monograph no 67). December 2003, p. 49.

¹³⁸ INTERNATIONAL CRISIS GROUP. *Op. cit.*

With his plan, Petro is simultaneously trying to solve two related but distinct problems: the problem of violence and the problem of lack of development. Dealing with them in this way involves a whole exercise in political management, given that it means a succession of infinite balances that a perfect democracy can hardly manage since they require complex arabesques vis-à-vis a confluence of variable forces of very diverse origins.

Mixing the agendas of development and peace is extremely complex because they belong to different levels and times: in the immediate present, the priority must be peace, but without forgetting the second, development, which prevents the anomalous situation from perpetuating itself. And it requires both economic achievements and deepening democracy. Tangible and mediated evidence is essential when pursuing goals that seem far away.

In this regard, the peace process contributes to finding a way out of the problems resulting from the lack of development, and also to avoiding an even more violent social drift. It is not so much a question of ending violence as of constraining and reducing it while trying to transform the structural factors to which it responds.

Moreover, the diverse and dispersed nature of the conflict requires concrete regional agendas, with valid interlocutors and actors, and for these to be matched at the national level. The territorial approach is the key to the process. Peace, in the end, is made in practice, from the local level, which does not imply that a congruent and comprehensive vision can be renounced.

As far as drug trafficking is concerned, the case of Mexico and its war against it illuminates a path that it is better not to take, insofar as it could lead to the criminalisation of a social sector. It is against the essence of the state to wage war on one part of its society.

Therefore, there is a need to find a way out of organised crime and the illegal economies on which it is based, which ravage whole regions of the country but also enable the most disadvantaged social sector to make a living. What is more, by deepening the contradictions, both the phenomenon itself and the fight against it undermine the political and economic independence of the states that have to deal with it.

This requires, on the one hand, that Colombian society expresses its agreement with the roadmap, with compensation for the victims and adequate justice for them; and, on the other hand, with the support of the international community, since impunity for serious

crimes on a large scale, such as drug trafficking, cannot be tolerated. Neither can it be tolerated for those who direct it, who become actors in the negotiation despite its illegitimate nature. But peace and justice are not the same thing, sometimes involving a certain degree of contradiction. And, *conversely*, setting precedents is not a good thing.

A project like Total Peace is complex. In fact, we are facing a challenge of colossal dimensions, which inevitably incorporates notorious institutional and legal contradictions. This requires serious institutional strength and social consensus to address the transformations of the current architecture, which are undertaken at a time of high and even increasing levels of violence in the country.

The formulation of the necessary plan is still very raw in its current terms and President Petro is being challenged in his endeavour. This is an unfinished public policy project with highly ambitious objectives.

To begin with, there is a missing link between the peace agenda and security policies. There is also a need to precisely define its scope and practical limits, providing strategic clarity to those who will operationalise the plan. Also required is a rule specifically enabling negotiation with rebel and criminal groups. Moreover, peace education, a very appropriate pedagogical process, requires time, generations. And this has not been undertaken beyond public discourse.

In addition, the executive has not shown the necessary political rigour, not only in terms of statements but also in the decisions it has taken with a view to putting its political commitment into practice, when the tasks of the State Security Forces and Corps demand rigour and unequivocal backing to act in regions where violence is very present.

It is also necessary to provide the Total Peace project with a solid and appropriate legal framework, either by reviving projects - with a new Law of Submission to Justice - or by prolonging other norms of the past. This, however, must always be based on the consensus of Colombian society and social actors, so that legal tools legitimised by their concurrence are available for a negotiation without inconsistencies in such fundamental chapters.

In this context, the figure of President Petro has experienced a notorious erosion and has lost much of the credibility that, with his election, public opinion gave him. This is as much a consequence of the family and corruption scandals as of the aforementioned

inconsistencies in his administration. This credit is the foundation on which his political project is based.

The key to the eventual success of Total Peace lies not only in the consensus of society, but also in the recognition and support of both the EU and the US. This would simultaneously provide proof of its viability - which would increase its credibility - and the necessary funding for its implementation. Financing is the invisible basis of politics, and even more so, as Keynes reminds us, of any real peace project.

In any case, and with all its difficulties and problems, this project is in line with the previous ones and is in the right direction.

*Federico Aznar Fernández-Montesinos**