The Role of the European Union in Supporting Long Term Democracy Building in Contexts of Armed Conflict: The Case of Colombia

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Abstract

The paper examines how internal armed conflicts with international dimensions, such as that in Colombia, affect regional and international integration processes, and democratic governance locally and globally. It uses Colombia as an example of an armed conflict with high costs for regional integration as well as for democratic governance in the country and the region. The paper builds a bridge between peace initiatives and the external support given to democracy by addressing how the European Union (EU) can best support peacebuilding in a way that minimizes such costs and supports the long-term objectives of democracy building and good governance. It analyses how the EU regional strategy for Latin America is used as an instrument for the EU's interaction with Colombia.

The paper identifies and analyses, from a Latin American-European perspective, the problems posed to integration, governance and the global culture of peace and human rights by the presence of an armed conflict in a developing country of strategic importance to regional and transnational integration. It makes policy recommendations on how the EU could improve its policies and activities for interacting with cases of conflict in Latin America.

Summary of Recommendations

EU efforts to collaborate effectively on a resolution to the Colombian armed conflict must focus both on the specificities within the country, and the generalities regionally in Latin America and in the realm of European-Latin American relations. The demobilization of illegal armed entities must be accompanied by feasible and practical job creation plans for ex-combatants. Cooperation efforts in support of peace processes must be focused on the post-agreement phase. The monitoring of local elections, and support for communitarian, democratic processes are a must.

The international community in general, and the EU specifically, must transcend the perception that peace means signing peace accords. Practitioners in peace construction

operations require strategic thinking and management skills, and the victory of one adversary must not be considered an option for resolving a protracted or chronic confrontation. The EU must transcend the realm of the signatories of peace accords to pursue a better general condition for the societies in post-conflict situations. This could occur in the following spheres: (a) Disarmament, Demobilization and Reintegration (DDR) processes for ex-combatants, including offering demobilized individuals productive alternatives for making a living; (b) rehabilitation of post-war societies, with an emphasis on the living conditions of the civilians who did not participate in hostilities but were affected by them; (c) the monitoring of peace accords; and (d) promoting a peace culture and peace education plans that are regional in character and national in scope.

The EU, in the specific case of Colombia but also in the wider context of Latin America, must support local processes of mediation – combining local initiatives and European technical support from mediators and teams of mediators in the field. This can take place through training of trainers initiatives combined with support for alternative communitarian justice processes.

The EU could work with civil society organizations to implement or design early warning systems with the aim of preventing the effects of organized violence on civilians. Community-based systems and networks of information could be built and coordinated in traditional, institution-based early warning systems such as community radio broadcasting or local television.

Finally, other activities could include: (a) advising on the implementation of truth commissions; (b) contributing to transitional justice processes with training, financial support and the use of good offices; (c) supporting democratic electoral processes through local and national observation; (d) constructing indicators of probity and guarantees for civilians undertaking electoral careers; and (e) promoting fair trade for community-based production and manufactures.

In environments of armed conflict, democracy faces serious threats. Colombia's armed conflict is no exception to that rule.

1. Introduction

Armed conflicts are destructive systems of violence exchange that cause trauma and destruction. It is essential to try to minimize their destructive effects since the longer these last, the worse the consequences for democratic systems become. Pacific solutions to armed conflicts are the most convenient and creative. This section identifies the problems posed to integration and governance, and a global culture of peace and Human Rights by the presence of an armed conflict in a developing country of strategic importance to regional and transnational integration.

In environments of armed conflict, democracy faces serious threats. Colombia's armed conflict is no exception to that rule. In the only active armed conflict in Latin America there is empirical evidence that democratic participation has been influenced through threats to civilians and of control of high-level representatives in Congress by illegal armed groups. Parliamentarians in recent years have been arrested over links with paramilitary groups in diverse regions of Colombia. Widespread extra-judicial killings have been documented by organizations such as Amnesty International. Links between

senior army officers and armed groups blur the boundary between legal and illegal means of violence in Colombia.

Colombia has wealth, but it is unevenly distributed. It is a land of natural resources (10% of the world's plant and animal species are found there), but many of these resources are badly managed. Colombia's strategic position as a geographic bridge between Central and South America, with coasts on both the Atlantic and the Pacific Oceans makes the armed conflict a problem with regional dimensions and trans-boundary implications.

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The Colombian conflict is polygonal: it produces some 3000 battle-related deaths per year and has at least three contending parties acting violently. The guerrilla groups, such as Fuerzas Armadas Revolucionarias de Colombia (FARC) and Ejército de Liberación Nacional (ELN), and the paramilitary forces, mainly in an umbrella group know as the Autodefensas Unidas de Colombia (AUC), have been included since 2001 in the US Department of State List of Foreign Terrorist Organizations. These organizations derive important income from the illegal trade in narcotics. Drug trafficking is associated with networks of national and international organized crime that transcends borders not only in the Americas but also across the globe.

These networks function due to consumption habits all over the world. Gang violence in Mexico City has been associated with Colombian criminal organizations, while in January 2009 Madrid was the scene of the murder of a well-known capo known for having organized paramilitary armies. Nonetheless, organized crime with trans-boundary characteristics is only one aspect of the international dimension to Colombia's internal armed conflict. According to Mark Chernick, 'Resources *are always* a decisive factor in any sustained armed struggle or protest movement. … Resources are a factor; they are not *the* factor' (Chernick, 2005: 182, emphasis in the original).

Traditional analyses of conflicts are of little use due to the complexity and constant transformation of the agents of violence in Colombia. Theoreticians and practitioners usually systematize analysis by defining dyads of violent actors. In the Colombian case such dyads might be problematic, since the contenders do not follow a continuous logic of mutually threatening and attacks because their enmity varies in intensity and scope according to their strategic interests. Furthermore, they severely harm civilian populations in order to build control zones of a para-state nature, where obedience, fear and forms of de facto justice are imposed through the use of armed force and threats.

In addition to the above, perverse forms of violence, such as kidnapping, affect nationals and foreign visitors and enterprises. Investors are forced to pay a "safety ransom" or "revolutionary taxation" for the protection of infrastructure or people or to be allowed to carry out their activities without being harassed. The coexistence of the legal and the illegal, especially through tacit or more obvious arrangements between government troops and more obscure forces, complicates the definition of the combatant dyads and the identification of 'good and evil'.

This description is the foundation for identifying the Colombian armed confrontation as a complex system of violent relations. There is another perverse consequence: for

many, and for many of those in power, civilians are a party to the confrontation in the sense that they contribute directly or indirectly to the exercise of political violence. Contending parties treat the non-voluntary collaboration of civilians as complicity. This occurs in all directions: illegal actors interpreting civilians' collaboration with other illegal actors; illegal actors interpreting civilian collaboration with legal actors; and legal actors interpreting civilian's collaboration with illegal actors.

All this has severe implications for the daily life of civilians and makes the Colombian armed conflict a situation internal in nature but with dangerous and negative implications in the international arena. Organized violence is mainly directed to civilians not belonging to the contender factions – but it also affects the systems containing them. It transforms the geographic space where it occurs and affects the external realm of the country in which it occurs.

Some describe the conflict as intractable: this means that the Colombian armed conflict has lasted a relatively long time, leading to subsequent diverse peace initiatives and talks that have repeatedly failed. Hostilities are commonly identified as having begun at the end of the 1950s with an organized guerrilla insurgency. War in Colombia since the mid-1980s has increased and transformed in intensity and the number and nature of combatant actors. 1982 marks a breaking point: ever since, each government has held talks with diverse guerrillas (1982–2002) or paramilitary forces (2002–2004). The rationale of war has also changed dramatically, maybe as a result of the end of the Cold War (Chernick, 1999 and 2005). Illegal groups found diverse ways to fund their operations, many of which were based on illegal forms of trade. An illegal counterinsurgency began to compete for the control of these illegal trades, but also established links with the state armed forces around the country. Demobilization agreements were signed in 2003. Some 32,000 paramilitary forces demobilized from a calculated 15,000 combatants. This is a common multiplication of people in peace processes all around the world. Nonetheless, today more than 7,000 of these demobilized have no known whereabouts. Although diminished by paramilitary and legal armies, FARC and ELN are still active. In 2007, 260 civilians were killed by guerrillas and 280 by paramilitary forces, while 190 civilians were forcibly disappeared in the same year by state forces in connivance with paramilitary factions or guerrillas. No country with such a history of failed attempts to achieve peace and basic human security can claim to have stability and sovereign governance.

Democracy and participation have been affected by the political violence. Politics in Colombia are closely linked to criminal organizations and illegal armed factions. Losada (2005) explains that armed actors affect political participation in different ways, but the freedom to vote is affected in all of these. From 1997 to 2003 there has been a fairly constant, but falling, level of electoral participation. Although Colombia repeatedly describes itself as the oldest democracy in Latin America, the influence of violent agents is evident in national and local elections. In general guerrillas prevent people from voting and paramilitaries force them to vote (Losada, 2005). Also, in regions away from the capital city, violence of a political nature occurs and becomes a threat to governance. Paramilitary factions, especially in the north, have penetrated high levels of government: "34 out of 102 senators elected

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in 2006, that is 33 per cent, are being investigated because of their ties with narco-paramilitarism" and "25 out of 168 individuals elected to the House of Representatives" (López and Sevillano, 2008). Governance and participation are therefore affected not because people do not attend the ballot, but because elections are tainted in the sense that people cannot express their opinion freely when voting. Local institutions, if controlled even in a partial manner, cannot be held accountable. Mixing the legal and the illegal makes governance problematic and unviable.

The armies intended to preserve law and order are also penetrated and somehow controlled. Violence in war does not only manifest itself as acts intended to cause physical harm, but also as a clear message of threat which, in many cases, leads people to take rational decisions. Amnesty International estimates that there are 4 million forcibly displaced people in Colombia, which is close to 9 per cent of the population. A growing de-territorialized population makes it impossible for governance to be effective. This also has consequences on relations with neighbouring countries. Flows of forced migrants move into Ecuador, Peru, Panama and Venezuela. Colombia is a significant problem for the Andean Community, and those migrants who can afford it flee to countries in Europe and North America – either as asylum seekers or tourists who stay abroad for long periods.

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In a controversial conceptualization (see Kalyvas, 2006; and Melander et al., 2006), Mary Kaldor (2001) suggests that economic motives have produced or sustained contemporary wars of a new kind. It is interesting to consider how the profit motive and the negative effects of globalization cause problems of an international nature linked to armed conflicts. An oil bonanza in the mid-1980s and the illicit Andean drug trade, with Colombia at its epicentre, dramatically changed the face of the war and gave it an international reach. Armed factions appropriated resources and started to compete for them, fighting a war in order to control them. Trade and smuggling routes are opened up violently within the country, displacing people and giving control of territories and persons. These routes carry criminality and substances to the rest of the continent and even overseas. Drug fumigation policies carried out more or less overtly by government mandate displace crops and populations and affect the environment both of Colombia and its neighbours. The social effects of armed confrontation cross geographic, environmental and political boundaries.

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2. Defining Armed Conflict from a Governance Perspective

Latin America plays a critical role in the globalization process due to the diverse connections it has with Europe and North America as well as the rest of the world. The development of technical indicators of the effect of armed conflict on the internal and external processes that affect governance in a given country is key to determining which processes should be implemented where and to designing interventions and peacebuilding policies at the national and international levels as well as policies on conflict resolution, the promotion of respect for human rights, strengthening the role of civil society, fostering local and global governance, and reconstruction in conflict-

affected environments. Box 2 provides a conceptual exercise in order to work towards a more applied and systematic development of such indicators.

Box 1. Indicators on Armed Conflict

Intensity of armed conflict

Wallensteen provides a definition of different intensity levels in armed conflict: (a) minor armed conflict, a conflict with more than 25 battle-related deaths but fewer than 1000 for the year and the duration of the conflict; (b) intermediate armed conflict, a conflict with more than 25 battle-related deaths and fewer than 1000 for a year, but more than 1000 for the duration of the conflict; and (c) war, a conflict with more than 1000 battle-related deaths in one year (Wallensteen, 2007: 22). This indicator may be used locally: intensity of hostilities can be measured in regions and subregions.

Territorial control by dynamics of armed confrontation

The dynamics of civil war in relation to the legal and/or illegal control of territories by armed factions can also be analysed. The definitions below build on the categorization by Kalyvas (Kalyvas, 2006). In the dynamics of confrontation between legal and non legal actors, territories vary in their status and the level of safety for civilians:

Zone Type 1: secure – a zone under total control of legal forces, understood to be safe for its inhabitants.

Zone Type 2: relatively secure – a zone under relative control of legal forces, understood to have become relatively secure for its inhabitants (harassed at times by illegal actors).

Zone Type 3: contested – zone in dispute, between an illegal actor and legal forces, very unsafe for its inhabitants, being the main target of contending factions.

Zone Type 4: relatively secure – a zone where one illegal faction has taken control and struggles still to keep it in contention with legal actors.

Zone Type 5: secure – a zone where an illegal actor has taken control, has imposed its own justice and mechanisms and has stopped killing on a large scale. It becomes paradoxically safe for its inhabitants.

Governance

Governance can be measured using six indicators: Voice and Accountability, Political Stability and Absence of Violence, Government Effectiveness, Regulatory Quality, Rule of Law, and Control of Corruption (Kaufmann et al., 2008) One could combine factors oriented towards policymaking by describing the characteristics of an environment of armed conflict in terms of these three variables, combining them regionally. Indicators would have to be refined and tested by fieldwork.

3. Conflict Resolution from a Functionalist Perspective

The stability of international relations in Latin America depends on the resolution of this protracted armed conflict, which has lasted for more than 50 years. Colombian levels of instability project themselves on neighbouring countries. The conflict dynamics also affect the whole hemisphere and the international arena – specifically Europe. As is described above, the Colombian armed conflict poses serious threats to the governance and stability of the region, and to the management of insurgent, criminal and terrorist challenges.

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The EU Latin America Programming Document (European Commission, 2007) sets three priorities: first, to improve social cohesion by reducing poverty in the framework of the Millennium Development Goals – which in Latin America implies overcoming a poverty level of around 41 per cent and reducing inequality and exclusion linked mainly to high levels of wealth concentration as well as strengthening democracy by building institutions, protecting human rights and enhancing the role of civil society;

second, to commit regions in a mutual framework of collaboration, giving impetus to economic relations by promoting trade and investment, building a favourable mutual outlook of growth, management of external debt and preparation for future challenges; and, third, to tackle specific regional challenges by building stability and sustainable development, and dealing with cross-border environmental challenges.

Box 2. The Objectives of the European Instrument for Democracy and Human Rights (EIDHR) Strategy Paper, 2007–2010

The objectives of the European Instrument for Democracy and Human Rights (EIDHR) Strategy Paper, 2007–2010 clearly address the strengthening and empowerment of the civil realm:

Objective 1: Enhancing respect for human rights and fundamental freedoms in countries and regions where they are most at risk.

Objective 2: Strengthening the role of civil society in promoting human rights and democratic reform, in supporting the peaceful conciliation of group interests and consolidating political participation and representation.

Objective 3: Supporting actions on human rights and democracy issues in areas covered by EU Guidelines, including on human rights dialogues, on human rights defenders, on the death penalty, on torture, and on children and armed conflict.

Objective 4: Supporting and strengthening the international and regional framework for the protection of human rights, justice, the rule of law and the promotion of democracy.

Objective 5: Building confidence in and enhancing the reliability and transparency of democratic electoral processes, in particular through election observation.

EIDHR Strategy Paper, 2007–2011

Taking a functionalist perspective on conflict resolution means that an armed conflict is always resolved in the most effective way. It also means that armed conflict must be seen as a complex social situation for which no simple or simplistic solutions can be proposed. EU efforts to collaborate effectively on a resolution to the Colombian armed conflict must focus both on its specificities, that is, within the country, and its generalities, that is, regionally in Latin America and in the realm of European-Latin American relations.

Peace must be understood as an integral result of combining effective peace accords, dialogues and initiatives with structural transformations of society. For peace accords to be effective they need to transcend the negotiating table where leaders agree ceasefires in a top-down process that the grassroots has nothing to do with. Inclusiveness in peace construction implies that a new, bottom-up style is pursued. The history of peace agreements in Latin America shows that the top-down perspective is most common (Arnson, 1999). Nor are peace accords accompanied by structural transformations in societies, which implies that in most cases the daily struggle for survival of non-combatant citizens continues unchanged.

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Regionally and locally oriented strategies based on the grass roots should be developed complementary to the peace talks of politicians at the macro-level. Peace talks between leaders of the government and armed organizations must continue but they need to be

more inclusive of the civilians affected by hostilities. A practical and challenging way to do this would be to promote regional dialogues on peace. The system of war and the exercise of organized violence in Colombia take many forms. Peace talks should be correspondent to that reality. Regional talks have only occurred informally and are rarely documented. They seem to scare the national authorities. A system where multiple forms of violence operate must be dealt with through multiple forms of negotiation.

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A better understanding is needed of the multiple economies of war. The financial systems sustaining illegal organizations in the Colombian conflict are complex. These organizations maintain control over illegal crops not only by looting but by developing proper production systems for illegal substances. Is it only the profit motive, as Collier suggests (Collier and Hoeffler, 1998), that keeps the groups fighting? Can we assume with certainty that they could keep functioning without popular support? Thus far, the answers to these questions have been far too simplistic. As it is suggested above, the economic gain is certainly one explanation for the logic of civil wars, but is it never the only explanation.

Cooperation in conflict resolution must transcend the military, but also the humanitarian. International aid is used to reinforce armies and protect frontiers (Plan Colombia) as well as to meet the basic needs of populations directly affected by atrocities. There is a need to understand that functionalist perspectives in conflict resolution have to deal with the structural conditions of society. A systematic strategy must be implemented: immediate situations and emergencies cannot be left unattended but it is also necessary to take a broader view. Aid in the immediate term must be given, but it needs to develop towards the construction of relations between adversaries, improvements in the conditions of life, negotiations centred on more than just ceasefires, and the construction of a fairer society. Practitioners in peace construction operations require strategic thinking and management skills, and the victory of one adversary must not be considered an option for resolving a protracted or chronic confrontation. The monitoring of local elections, and support for communitarian, democratic processes are a must.

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Complexity also implies transcending the terrorism discourse. Security is threatened globally by the actions of illegal armed organizations that carry out acts of terror. It is necessary, however, to evaluate the practical value of applying the term terrorist to such illegal organizations. Because it is accepted that no political negotiations can be carried out with terrorists, creativity is necessary to create dynamic spaces for negotiations in realms where they have not been carried out before. The local nature of the confrontation in cases such as that of Colombia makes it necessary, with the collaboration of the international community and more specifically the EU, to propose untested and experimental spaces for peacebuildng.

4. Policy Recommendations for the European Union

This section makes specific recommendations on how the EU could improve its policies on interacting with cases of conflict in order to support democracy building in Colombia

in particular and Latin America in general. Political dialogue is one of the pillars around which to articulate the relations between Europe and Latin America – the other being cooperation and trade (Torrent and Peña, 2005:33). The recommendations set out below are conceived from a conflict management and conflict resolution perspective. They are mainly policy oriented and have both a local and a regional perspective.

The international community in general, and the EU specifically, must transcend the perception that peace means signing peace accords. The cases of Central America and the attempts in Colombia, where accords and pre-accords have been signed, prove that the structural conditions of society determine the success and duration of negotiations and agreements. If structures do not change, peace accords are merely a written document. Peace is the sum of a ceasefire plus changes in society to achieve a better life for citizens. Thus, the demobilization of illegal armed entities must be accompanied, for example, by feasible and practical job creation plans for ex-combatants. Cooperation efforts in support of peace processes must be focused on the post-agreement phase. In this sense, results-oriented policies must transcend the accord stage in order to reach a structural peace in terms and conditions for citizens.

The EU must therefore transcend the realm of the signatories of peace accords to pursue a better general condition for the societies in post-conflict situations. This could occur in the following spheres: (a) Disarmament, Demobilization and Reintegration (DDR) processes for ex-combatants, including offering demobilized individuals productive alternatives for making a living; (b) rehabilitation of post-war societies, with an emphasis on the living conditions of the civilians who did not participate in hostilities but were affected by them; (c) the monitoring of peace accords; and (d) promoting a peace culture and peace education plans that are regional in character and national in scope.

In addition a "de-narcotization" and "de-terrorization" of policy by the EU would be advisable. As is stated above, drug dealing and the drug trade are widely but erroneously regarded as the main drivers of organized violence in Colombia. In addition, the Colombian Government does not recognize the existence of an armed conflict in Colombia. For political reasons, it prefers to consider the Colombian problem as a series of terrorist attacks. This makes dialogue impossible. The international community, particularly the EU, must push a different approach by facilitating dialogues and negotiations that transcend the terrorist discourse.

The EU, in the specific case of Colombia but also in the wider context of Latin America, must support local processes of mediation – combining local initiatives and European technical support from mediators and teams of mediators in the field. Risks have not been taken with local peace initiatives. A micro view has to be developed. Alternative processes of dispute resolution – regionally, in zones of conflict and post-conflict – should be put in motion. This can take place through training of trainers initiatives combined with support for alternative communitarian justice processes.

Regional dialogues involving contending actors can be facilitated and fostered either openly or with a level of secrecy. Local civil peace initiatives, implying resistance to and coping with the effects of organized violence on civilians, should be financed.

Action by experts, analysts and mediators in the field can be implemented under the umbrella of humanitarian aid. This can include mediation and humanitarian activities

while at the same time becoming a point of reference and information for policy design for conflict resolution and transformation at the EU level.

State-oriented action by the EU would include: (a) enhanced use of its good offices for fostering conflict resolution and peace agreements between governments and armed factions carrying out illegal forms of organized violence; (b) education of the armed forces in human rights, international humanitarian law and mediation skills; (c) advising decision-makers and policymakers on post-conflict reconstruction and rehabilitation; (d) fostering gender-based action, policy design and peace operations, mainstreaming gender as an option for the transformation of conflicts; (e) contributing to the determination of responsibilities in the cases of one-sided state violence against civilians; (f) enhancing the control mechanisms linked to international humanitarian law; and (g) promoting economic exchange and investment in Colombian firms.

Civil society-oriented policies must take account of local knowledge and techniques for conflict resolution, and support these through local and communitarian NGOs. They should concentrate on developing problem-solving skills based on technical training in conflict resolution at the community level. Research projects by national and international academic institutions and practitioners should be funded, which combine knowledge of a national and an international nature. Support should be provided for local organizations, or with forming them, with the intention of constructing bottom-up peacebuilding and reconciliation, using a victim-based policy design with the intention of transcending the peace agreements of negotiating tables in order to make them more relevant to the civilians affected by the dynamics of organized violence.

The EU could work with civil society organizations to implement or design early warning systems with the aim of preventing the effects of organized violence on civilians. Community-based systems and networks of information could be built and coordinated in traditional, institution-based early warning systems such as community radio broadcasting or local television.

Finally, other activities could include: (a) advising on the implementation of truth commissions; (b) contributing to transitional justice processes with training, financial support and the use of good offices; (c) supporting democratic electoral processes through local and national observation; (d) constructing indicators of probity and guarantees for civilians undertaking electoral careers; and (e) promoting fair trade for community-based production and manufactures.

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