

Reflections on the Colombia peace deal

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The final accord for the finalization of the conflict and the creation of a lasting and stable peace in Colombia is a historic event that puts an end to one of the oldest armed conflicts in Latin America. The conflict between the Revolutionary Armed Forces of Colombia – Popular Army (FARC-EP) and the Colombian Government started in the 1960s and has left to date more than 200,000 dead, 6.9 million displaced and thousands of exiled Colombians.

The negotiation process started in 2012 with an exploration stage in Oslo and the launch of the conversation table on 18 October 2012. This table was later moved to Havana where, after four years of talks, a peace deal has been reached that will need to be ratified by the Colombian citizenship through a referendum on 2 October.

The final document is based on 5 main points. The first point is the rural reform and sets the ground for a more equitable land redistribution. The second point revolves around political participation – it fosters the creation of new political parties and makes changes in the electoral system. The third one addresses the problem of illicit drugs through voluntary programs of crop substitution and transformation of the territories affected.

One of the most debated aspects is victim reparation. The peace deal includes the system for the prosecution of crimes based on a newly created Commission for the Clarification of Truth, Coexistence, and Non-Repetition, the Special Jurisdiction for Peace and a future Amnesty Law. It is important to highlight that the agreement expressly states that crimes against humanity laid down by the Rome Statute cannot be granted an amnesty. In any case, sentences will aim to restore the rights of victims and consolidate peace. A final section addresses the end of the conflict and lays down the arms surrender procedure to a special committee of the United Nations.

The peace deal and the end of the conflict offer for the first time a real possibility for Colombians to live in peace while it will entail a significant change in the lives of the rural citizens of the territories that are most affected by the armed conflict. Leaving aside the matters most directly related to the end of the conflict (arms surrender, political representation and victim reparation), Colombian lands are the most concerned by the agreement, which could be described as a brave effort to carry out rural reforms (an unfinished business in the country).

Land distribution in Colombia has always been deeply unequal. The model is based on large tracts of highly productive land in the hands of very few owners coexisting with smaller owners. Several reform attempts took place in the 20th century: those of 1936

(under the Alfonso López Pumarejo Government) and 1961 (under the Carlos Lleras Restrepo Administration) were reversed by the 1973 Chicoral Agreement precisely due to the pressure exerted by the big landowners. In addition, during the over 60 years of armed conflict rural inequalities grew at a staggering speed. The reason is that the conflict between the guerrilla, paramilitary groups and the State triggered a massive exodus of the rural, poorer population to the cities and, as a consequence, the model of small landowners practically disappeared.

Two of the five agreements target the Colombian land. The rural reform contains the creation of a fund for the allocation of lands free of charge to peasants who own no or insufficient land. The reform also includes a program for the restitution of lands to the victims of forced displacement and creates a special court for the resolution of conflicts over the use and ownership of lands. Programs for infrastructure and rural social development are also comprised and include measures in the fields of health, education, housing and access to drinking water.

Many reforms could have been proposed during the negotiations to bring about a real change in the Colombian economic and social structure. However, the parties decided to transform the land ownership model. It is logical given that the unequal land distribution is the origin of the conflict and the war has been essentially rural. The consolidation of peace will depend mostly on the materialization of the agreements on land distribution. However, it will also depend on the creation of economic conditions that allow peasants to adapt to the structural changes based on the modernization of the agricultural production, that is, transnational investments and a globalized model based on the existence of multiple free trade agreements considerably affecting agricultural products.

Last but not least, the agreement signed in Havana will only be materialized if ratified by a referendum. Over 60 years of conflict have left a highly divided society and, above all, thousands of victims and population groups who, albeit desiring peace, may not agree upon the pacts and more particularly upon the amnesty law. Now, it all depends on the referendum results on 2 October.