

GLOBAL

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RIGHTS

COLOMBIA

THE CHALLENGE OF PEACE

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The challenge of peace in Colombia

Four long and painful years of negotiations in Havana between the Government and the FARC-EP guerrillas have finally resulted in a Peace Agreement between the two parties, not without having to overcome in the final stretch the unexpected NO in the referendum unilaterally convened by President Juan Manuel Santos on October 2. A result that despite the low participation (barely 40% of the eligible electorate) showed the internal resistance of certain social and political sectors of the country to assume that peace is the only way.

Taking into account this electoral result the parties made an urgent renegotiation of the initial agreement to readapt it in some sections to the correlation of forces in the country.

On this second opportunity, more rationally, ratification between the two parties was unanimously approved by the Senate and the Colombian Congress, with the significant and disturbing absence of the sectors related to former President Alvaro Uribe, since peace is in itself

a right and not something subject to a citizen's criterion, potentially subject to manipulation and half truths.

It is obligatory to say that the beginnings of the peace agreement signed publicly on 12 November 2016 in the Colón Theater in Bogotá, do not point in the right direction: 5 social leaders killed that same week by alleged paramilitaries, two young guerrillas of the FARC assassinated in cold blood (and cannot be said otherwise) by Army snipers, and the consequent and disappointing report of the International Verifying Commission, which issued a misleading signal that "impunity" could fit after all in the midst of agreements, for the sake of not break them.

The mistakes and, above all, the long shadow of "impunity", in the Colombian case, can be tragic, bleeding and frustrate any serious attempt at peace. Historical precedents speak for themselves: The Colombian insurgents and left, M-19 or the Patriotic Union, have always been loyal to their agreements, the opposite

of the governments of an oligarchy too closely linked to paramilitarism and on numerous occasions related to the fruitful business of drug trafficking.

Peace in Colombia faces the immense challenge of translating roles and words into deeds, but it must go even further to change the old and entrenched social, political, and historical practice of resolving through violence and death of the adversary what should be in fact the confrontation of ideas and opinions. Also important to emphasize in red that a similar agreement is still pending with the National Liberation Army, the other insurgent organization, delayed for too long.

Colombia today needs a strong internal accompaniment, a role that corresponds to its own society, but also a strict international monitoring and verification of both the guarantor governments and witnesses of the agreements already signed (Cuba, Norway, Venezuela and Chile), of the UN and other European countries

and of the US itself, that have been verbally committed to this peace process, but also to all civil society organizations: we all must play a witness, prosecutor and accompanying role, ensuring that all without exception fulfil their word, and thus help to end a conflict that has the typical feature and data of a civil war long more than six decades: 250,000 dead recognized in a first and preliminary official report, a list that can surely get to more than 700,000 if truth is to be finally found and exposed, more than six million displaced, thousands missing and war crimes of all kinds.

Colombia, Colombians today have the right and the opportunity to build their present, focus on their future and reread their past.

And what we call the international community, also have the moral, political, ethical and personal obligation to help hope and peace to take root in this country, which is also ours as citizens of the world, so that never again shall we have to talk about war in Colombia.

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70 human rights defenders killed in 2016

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Text: Orsola Casagrande Photo: Boris Guevara

In a report published at the end of November 2016 by the Nacional Centre of Historical Memory (CNMH, Centro Nacional de Memoria Histórica) of Colombia, reveals that during the first 11 months of 2016, 70 social leaders and human rights defenders have been murdered in Colombia, 279 people have been threatened and 28 people have suffered non-lethal attacks.

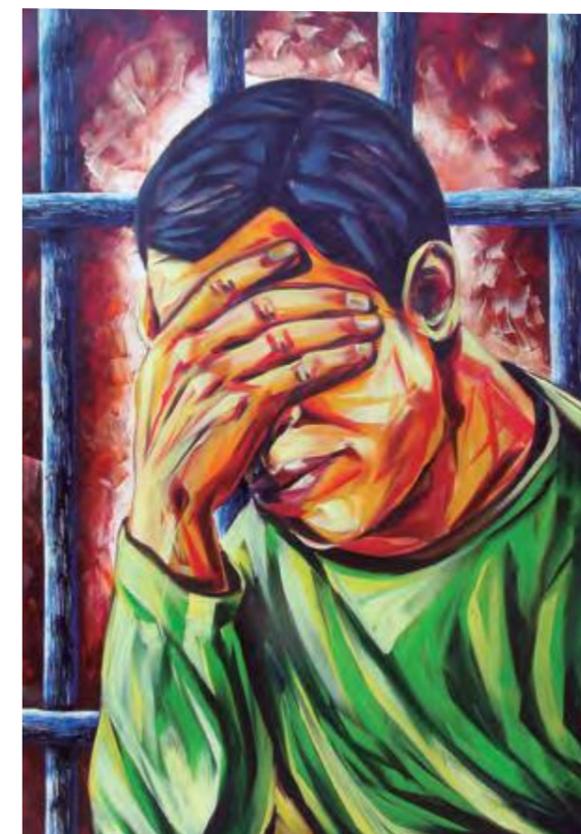
The figures have been published after a weekend, that of 19 November, in which three human rights defenders had been murdered and two suffered attacks on their life, in various regions of Colombia.

On that very weekend, the FARC-EP Peace Delegation was getting ready to travel to Bogota for the signature, on 24 November, of the new Final Peace Agreement reached with the Colombian Government, after the No-camp won by a narrow majority in the 2 October Referendum.

Before leaving Havana the FARC-EP had written an open letter to Colombian President Juan Manuel Santos, asking him firm and speedy action to stop such a massacre. “Mr President - the FARC wrote - everybody knows who is behind these selective and political murders. It is the same people who have

been gaining money, power and privileges during the 52 years of this fratricide war. It is the same people who would never find any Peace Agreement satisfactory, because what they want is for the war to continue, so they could continue benefitting from it”. The letter also adds that “Colombia remembers how you, with a brave moral action, have admitted the State responsibility in the elimination of over 5 thousand leaders from the Union Patriótica. This was an important step on the path to reparation. Yet nobody understands why if there is a real political determination end with the dirty war, no actions are taken to this end, actions that could effectively disarticulate and dismantle paramilitarism”.

The report published at the end of November, also underlines that 30 of the killings perpetrated in 2016, were actually carried out after the bilateral and definitive ceasefire agreed by the FARC and the Government had been signed, on 23 June 2016.



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General Agreement for the Termination of the Conflict and the Construction of a Stable and Lasting Peace

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The delegates of the Government of the Republic of Colombia (National Government) and the Revolutionary Armed Forces of Colombia-People's Army (FARC-EP);

As a result of the Exploratory Meeting in Havana, Cuba, between February, 23 and August 26, 2012, and which counted on the participation of the Government of the Republic of Cuba and the Government of Norway as guarantors, and with the support of the Government of the Bolivarian Republic of Venezuela as facilitator of logistics and companion;

With the mutual decision of putting an end to the conflict as an essential condition for the constitution of stable and lasting peace;

Attending the clamor of the population for peace, and recognizing that:

The construction of peace is an issue of

the society as a whole that requires the participation of everybody, without distinction, including other guerrilla organizations which we invite to join this proposal;

Respect for human rights in every corner of the national territory is a state purpose that should be promoted;

Economic development with social justice and in harmony with the environment is a guarantee of peace and progress;

Social development with equality and well-being, including the majorities, allows us to grow as a country;

A Colombia in peace will play an active and sovereign role in regional and global peace and development.

It is important to amplify democracy as a condition to achieve solid bases for peace;

“ Citizen participation is the key of all agreements constituting the Finale Agreement

With the full disposition of the National Government and the FARC-EP to reach an agreement, and the invitation to the entire Colombian society, as well as organisms of regional integration and the international community, to accompany this process;

We have agreed:

I. To initiate direct and uninterrupted conversations about the points of the Agenda established here, with the purpose of reaching a Final Agreement for the termination of the conflict that will contribute to stable and lasting peace.

II. To establish a Table of Conversations that will be installed publicly (in the first two weeks of October 2012) in Oslo, Norway, and whose main site will be Havana, Cuba. The Table could have meetings in other countries.

III. To guarantee the effectiveness of the process and conclude the work about the points of the agenda expeditiously and in the least amount of time possible, to fulfill the expectations of the society concerning the agreement. In any case, the duration will be subject to periodic evaluations of progress.

IV. To develop the conversations with the support of the governments of

Cuba and Norway as guarantors and the governments of Venezuela and Chile as accompanying countries. In accordance with the needs of the process and by agreement, others could be invited.

V. The following Agenda:

1. Comprehensive agricultural development policy

Comprehensive agricultural development is crucial to boost the integration of the regions and the equitable social and economic development of the country.

1. Access and use of land. Wastelands. Formalization of property. Agricultural border and protection of reserve zones.

2. Programs of development with a territorial focus.

3. Infrastructure and land improvement.

4. Social development: health, education, housing, eradication of poverty.

5. Stimulus to agricultural production and the economy of solidarity and cooperation. Technical assistance. Subsidies. Credit. Generation of income.

Marketing. Labor formalization.

6. Food security system.

2. Political participation

1. Rights and guarantees for the exercise of the political opposition in general and in particular for the new movements that arise after the signing of the Final Agreement. Access to the media.

2. Democratic mechanisms of citizen participation, including those of direct participation, on different levels and diverse themes.

3. Effective measures to promote greater participation in the national, regional and local policy of all sectors, including the most vulnerable population, equality of conditions and with guarantees of security.

3. End of the conflict
Integral and simultaneous process which implies:

1. Bilateral and definitive cease of fire and hostilities.

2. Abandonment of arms. Reincorporation of the FARC-EP into civil life ? economically, socially and politically -, in accordance with their interests.



3. The National Government will coordinate the revision of the situation of individuals, charged or convicted, for belonging to or collaborating with the FARC-EP.

4. Parallel, the national government will intensify the fight to end the criminal organizations and their support networks, including the fight against corruption and impunity, in particular against any organization responsible for homicides and massacres or that undermines human rights defenders, social movements or political movements.

5. The National Government will revise and make the reforms and institutional adjustments necessary to address the challenges of the construction of peace.

6. Guarantees of security.

7. Under the provisions of Point 5 (Victims) of this agreement, the issue of paramilitarism, among others, will be clarified.

The signing of the Final Agreement initiates this process, which must develop in a reasonable time agreed by the parties.

4. Solution to the problem of illicit drugs

1. Illicit crop substitution programs. Integral development plans with participation of the communities in the design, execution and evaluation of the

programs of substitution and environmental recovery of the areas affected by illicit crops.

2. Prevention programs of consumption and public health.

3. Solution to the phenomenon of production, consumption and public health.

5. Victims

To compensate the victims is in the center of the agreement National Government ? FARC-EP. In this sense they will treat:

1. Human rights of the victims.

2. Truth.

6. Implementation, verification and countersignature

The signing of the Final Agreement begins the implementation of all of the agreed points.

1. Mechanisms of implementation and verification:

a. System of implementation, with special importance for the regions.

b. Commissions of monitoring and verification.

c. Mechanisms of resolution of conflicts.

These mechanisms will have the capacity and executive power, and will be conformed by representatives of the parts and of society, as appropriate.

2. International accompaniment

3. Schedule.

4. Budget.

5. Tools of dissemination and communication.

6. Mechanism of countersignature of the agreements.

VI. The following operating rules:

1. In the sessions of the Table up to 10 people will participate per delegation, of which up to 5 will be plenipotentiaries who will carry the respective voice. Every delegation will be made up of up to 30 representatives.

2. With the end of contributing to the development of the process they can realize consultations of experts about the themes of the Agenda, once the corresponding procedure is sorted.

3. To guarantee the transparency of the process, the Table will elaborate periodic reports.

4. A mechanism will be established to make public the advances of the Table. The discussions of the Table will not be made public.

5. A strategy of effective diffusion will be implemented.

6. To guarantee the broadest participation possible, there will be established a mechanism of reception of proposals about the points of the agenda of citizens and organizations, by physical or electronic means. By mutual agreement and at some specific moment, the Table can make direct consultations and receive proposals about the points mentioned, or delegate to a third party the organization of spaces of participation.

7. The National Government will guarantee the necessary resources for the Table to work, that will be administered in an efficient and transparent manner.

8. The Table will have the necessary technology for the process to advance.

9. The conversations will initiate with the point of integral agricultural development policy and will continue with the order the Table agrees on.

10. The conversations will be hold under the principle that nothing is agreed until everything is agreed.

Signed on the 26th of August 2012 in Havana, Cuba

“

We'll stop fighting with weapons,
but not by legal means and with full
guarantees. This is the agreement

”

Text: Orsola Casagrande Photo: Boris Guevara

Havana. Timoleón Jiménez, “Timochenko”, is the commander-in-chief of the FARC-EP (Colombian Revolutionary Armed Forces – People’s Army / Fuerzas Armadas Revolucionarias de Colombia—Ejército del Pueblo,). His real name is Rodrigo Londoño Echeverri. He was born in 1959 and joined the FARC in 1976 motivated, as he recalls, “by the situation of the environment where I grew up. We were a poor family in a poor village. Our parents had been deeply affected by violence. My mother was a widow. Her first husband had been murdered right at the doorstep. We, as children, were listening to all these stories of death and violence and they slowly shaped our conscience. My mother” – he adds – “cultivated in me a love for reading. She taught me to read even before I went to primary school”.

We meet Timochenko in Havana, where negotiations between his organisation and the Colombian government have been taking place for the past four years. He speaks in a calm and gentle tone, smiling from time to time, never lowering his eyes. Following the signing of the Final Peace Agreement in Cartagena (Colombia), on the 26 of September, came the cold shower of the Plebiscite put in place by President Juan Manuel Santos to ratify the agreement on October 2: the majority of the low turnout of 37% saying no to the agreement. A mere few thousand votes allowed the No Camp, led by former President Alvaro Uribe, to bring four years of hard work to the edge of being jettisoned. Mass demonstrations all over Colombia and the determination of the FARC not to let this chance for peace pass, brought the parties back to the negotiation table.



“ **La X Conference established that the main goal is to work for the implementation of the Final Agreement** ”

The second round of talks with the government begun in Havana on Saturday, November 5, to revise the Final Agreement in light of the new encounters with civil society organisations, political parties, churches, etc. How far are we from this new revised agreement?

On October 7 the two delegations, namely the national government and the FARC-EP, issued a joint statement in which we reiterated that the Final Agreement signed on August 24 commits both parties, because in our view it contains the necessary reforms and measures to lay the foundations for peace and ensure the end of armed conflict. This clearly did not imply ignoring the narrow margin by which the No Camp won the plebiscite. In view of this the two delegations announced that they will listen to the different sectors of society in a speedy and pragmatic process, in order to understand their concerns and promptly find a way out of this impasse. These proposals and adjustments are being discussed between the national government and the FARC-EP. The pro-

cess of submitting proposals and concerns has almost closed and we are ready to begin an analysis of them in the coming days. At the same time we are working on finding the most effective juridical and political formula for the implementation of what we have agreed. We are confident that with the will of both parties and the massive support of the Colombian population, it will all be resolved in the best way to achieve peace and reconciliation in the country.

Following the signing of the Peace Agreements and their popular ratification comes the difficult task of implementing them. What has been decided, in this sense, in the recently concluded X Guerrilla National Conference?

The X Conference approved a fundamental task: work for the full implementation of the Havana Final Agreement. This involves using the mechanisms responsible for verifying and monitoring compliance with the Agreement, which appear in the texts signed in Havana, including the partic-





ipation of communities. Then of course there is the political struggle. One of the flags of the new political movement within which we will transform ourselves, is to work for the full implementation of the agreements, for which it is essential to establish strong links with rural and urban communities, victims, democrats, popular sectors in general. Of course, I must say, that we don't start from zero, as many people in Colombia are willing to work for the success of the same goal.

On what programmatic and organisational basis will the FARC-EP become an exclusively political organisation?

That precisely was one of the resolutions of the Tenth Conference. The FARC are and have always been since our foundation, a political party that had to take up arms to counter State violence. Now, in the current situation we have to

adapt and reshape the party to the new conditions of legality and modernity. This is not about changing our ideology or our political and organisational principles. As it was deliberated by the Conference, that will be a matter for discussion and approval at the Constitutive Congress of the new party to be held no later than May 2017, provided that the agreements signed in Havana are implemented.

The full implementation of the agreements will be accompanied and verified by the international community. How important is this aspect?

The international community has been getting involved in the peace process gradually but consistently. In the beginning it was the participation of Cuba and Norway, always alongside Venezuela. Then came Chile, and later signals of approval were coming from the European Union, the United States, Un-

Paramilitarism is one of the ways the State has confronted political opposition

asur, Germany, Russia, the United Nations and its Security Council. That has tremendous value for us, as we got to the Negotiations Table depicted in the worst possible way by much of the international community. We have shown our ideological and political stand, our vocation for peace, our seriousness and responsibility when it comes to commitments. All this has put us on another level and has given the peace process an openly international relevance.

The dismantling of paramilitarism is undoubtedly essential to building a stable and lasting peace. To what extent can the international community exert influence in the achievement of this goal?

Paramilitarism is one of the ways in which the Colombian government has countered political opposition in Colombia, though not the only one. There have been judicial persecution, police frame-ups and of course open violence by government agents. What happens is that thanks to the struggle of many people in our country, as well as international concern, open violence by the State is becoming more difficult. However you can still see the brutal repression that bodies like the National Police

and the Army often use against protest and popular mobilisation. In fact, our struggle is for the banning of all forms of violence used by the State against the Colombian people. And we believe that with this agreement we have taken significant steps in that direction. Paramilitarism has been given special attention in the Havana Agreement, since its illegal nature makes it easier for the State to cover up its violent actions behind those gangs of murderers. Several things have been agreed on this issue which, should they be implemented, would mean a real shift in terms of guarantees and rights for opposition parties and organisations. The international community plays an important role in this matter and we hope that their contribution remains effective.

An agreement with the ELN (National Liberation Army) is a pending issue. What is your opinion on this?

The ELN is a revolutionary and insurgent organisation we have always considered a sister in the struggle. We have spoken with them several times about issues related to the peace process we are developing with the government of Juan Manuel Santos. Indeed we have done so with the support of the

“ The ELN is a revolutionary organization and we have always considered it as sister in struggle

President, who was interested in the ELN joining the process. They maintained different views regarding a series of issues concerning national life and policy, and it is on this basis that they preferred to follow their own path, without condemning the one we chose to follow. Indeed they have waged their own battle for the establishment of a Negotiation Table and an agenda, which we understand is to be set up very soon in Quito, Ecuador. We wish deeply and hope that these comrades will quickly reach a satisfactory agreement that allows the whole of the Colombian people to embrace this huge effort for peace and reconciliation.

Comprehensive Rural Reform seems to be the key for the Colombian countryside to return to its normal social life as well as its enormous productive potential. How would you work to ensure the implementation of what was agreed on this point? Would you, for example, create a store of projects for international and civil organisations?

The Agreement on Comprehensive Rural Reform is a fait accompli. What is

coming next is the need for the implementation and full compliance by the State. This requires ensuring that rural communities take the agreements into their hands, fully understand and appreciate them. They have to reclaim these agreements. Simply to achieve this will involve great effort. But once unleashed, as a result of the strength of peasants, black and indigenous communities, the potential carried within the Agreement for the agricultural sector, we can expect a revival of popular activity for the improvement of its living conditions, plans for education, housing, health, roads and infrastructure, the development and implementation of plans for local and regional development. There's an open space there for social and political action, and of course, the communities and we ourselves would be open to all possibilities for international assistance.

These negotiations have been long and difficult, but this peace process indeed has produced both interesting and novel outcomes. What would you say are the main achievements of this process?

The whole peace process, its develop-



“victims have participated in the process. Indeed we can say they have been the focus of all negotiation

ments, the agreements, the difficulties caused by the triumph of the No Camp in the plebiscite, the path chosen for their solution, all this contributes to making this peace process a unique experiment in internal armed conflict resolution processes. As to what I would point out as the most important achievement, perhaps I would underline the fact that the State has formally committed to eradicate all forms of violence against political opposition and to establish full guarantees for its political activity, as well as for the life and freedom of its leaders and activists.

The issues of victims, the establishment of truth and transitional justice has been particularly delicate, given the violence during the conflict and its long duration...

Undoubtedly those were highly sensitive issues, as confirmed by the time it took to reach an agreement on the subject. A year and a half of discussions that still only led to the signing of an agreement that the Colombian government insisted on reviewing after it had signed it, thus endangering the seriousness of the process itself. Fortunately things finally came to frui-

tion. The victims participated in the process and I can say they were, at all time, at the center of the discussions. The agreement we signed may not have made everyone happy, because there are extreme sections that would oppose anything, just for the sake of saying no. We also benefitted through the widespread recognition from victims' organisations, different political parties, the Colombian people itself and all kinds of social and popular organisations, as well as recognition and applause from the international community, including institutions such as the International Criminal Court. The work was hard, but it was worth it, no doubt. The agreement contains unprecedented but valuable legal formulas, made into law and that alone speaks of its importance.

The Agreement speaks of “demobilisation” of the FARC-EP and political and social integration of former guerrillas. How will you ensure this can happen successfully, and perhaps even become a model?

We always insist on the incorrectness of the term “demobilisation” in our case. The FARC-EP are not going to demobilise, but will transform into an



active political force, which will remain cohesive and united in the struggle for its goals of taking power for the people. Demobilising would mean disintegrating the organisation and we are far from thinking of doing that. We'll stop fighting with weapons, but not by legal means and with full guarantees. This is the agreement. We'll reincorporate into civilian life according to our economic, social and political interests, leaving behind all forms of violence and illegality, and for this, provisions have been written into the agreements. I must say that the State took a hard position when it came to help in this regard. It will not be easy, we understand the dimension of the challenge we have assumed and we have never lost sight of the interests of our class enemies. Of course, any selfless aid offered in good faith to help reach this goal would be well accepted.

Colombia has always been a country of people who love work, rich in natural resources, but subject - since its independence from Spain - to an epidemic of violence that resulted in dozens of civil wars. Of course, the origin of all these wars relates to the unequal distribution of wealth and the declared intention of the ruling classes to resolving political differences through the use of force and violence. Recent generations of Colombians have not known a single day of peace. Now, after more than five decades of armed confrontation, we have managed to arrange a formula for a political solution that promises to create all the necessary conditions to permanently stop the use of weapons and violence in national and regional political life. We definitely deserve a better destiny and we are determined to build it.

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A changing vision on drugs: Colombia

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Text: Tanja Nijmejer Photo: Boris Guevara

From 19 to 21 April 2016 the United Nations host in New York a special session of the General Assembly on drugs (UNGASS). In spite of the obvious fact that many scholars, institutions and civil society from all over the world are changing their points of view on how to lead the fight against drugs, the United Nations, characterized by its slow apparatus and its running-behind-the-facts nature, isn't expected to adequately get hold of these developments. But the outcome should at least reflect the generalized opinion, based on clear figures published after thorough academic research, that the War on Drugs hopelessly failed.

The agreement on the fourth point of the Agenda, Solution to the problem of Illicit Drugs (<http://farc-epeace.org/index.php/peace-process/agreements/agreements/item/938-illicit-drugs>), made at the peace talks between the Colombian government and the FARC-EP, is an interesting case to show that times might be changing.

In 2000, during the peace process of El Caguán (a peace process that was broken up in 2001), the FARC-EP proposed a Pilot Project for the Substitution of Coca Crops (<http://farc-epeace.org/index.php/background/item/253-pilot-project-for-the-substitution-of-coca-crops>). It was a pilot project for the

substitution of illicit crops in a town called Cartagena del Chairá, without using aerial spraying, violence or repression. Although it was positively received by the international community, the government never paid much attention to this proposal and never gave it a try.

However, almost two decades later, at the peace talks in Havana, Cuba, the discussion on illicit drugs was re-taken with the fourth point of the Agenda: Solution to the problem of Illicit Drugs. The insurgency made 50 proposals on the matter, in the same vein as in 2000: No aerial spraying or forced eradication of crops, but a so-

cial focus should be the the course to take, at least what the coca growers and the consumers concerns. Thus, it is important to understand that peasants don't grow coca crops because they want to, but because they don't have other means of subsistence.

In the agreement, this understanding of the problem of drug-trafficking as a social problem and not a criminal issue is omnipresent. The weakest links of the drug-trafficking chain – that is, the growers and the consumers – are supported with substitution and public health programs, respectively. The substitution programs are closely linked to the first agreement on Com-



“ The Agreement recognised that illicit drugs are not just a Colombian problem, they are an international problem and require an international solution ”

prehensive Rural Reform, as they provide health care, education, technical assistance, soft loans and tertiary roads for peasants to be able to grow legal crops. With the substitution programs the campesinos should be able to change quickly and voluntarily to other crops that should provide them welfare and well-being.

Substitution will be implemented through Comprehensive Plans for Substitution and Alternative Development in each region; these Plans will be build and agreed with representatives from the whole municipality. The community commits to real substitution of crops and to not re-planting them, while the government commits to cease persecution of the communi-

ties for two years from the beginning of the implementation.

Prosecution will take place against those who really profit from drug-trafficking: the networks for money laundering and drug-traffickers. Finally, the agreement also recognizes that the problem of illicit drugs isn't Colombia's problem; it is an international thing that needs a global solution. Therefore, it was agreed to hold an international conference within the framework of the United Nations, that should open the doors to a new drug policy world-wide.

In February this year, a small delegation including myself visited the guerrilla camps of southern Colombia. I

met with a lot of coca growers who had many questions about what had been agreed on the subject of illicit drugs. There was a lot of interest for the subject, because as they put it: this is about our future. There were strong rumours about the government and the FARC-EP who would work together and force the campesinos to eradicate their coca crops, and those who didn't collaborate would be fumigated. The Peace Delegation had a meeting with social leaders from the area, in which we explained the content, scope and real impact of this agreement.

In March, the government started a project for forced eradication of coca crops in the natural parks of Tinigua and La Macarena, in the South-East of the country, as denounced by the inhabitants of the area. (<http://farc-eppeace.org/index.php/newsflash/item/1133-forced-eradication-coca->

crops-in-macarena-natural-park)

Forced eradication, without implementing other sustainable substitution programs blatantly violates the spirit of what has been agreed in Havana.

As we are heading towards agreements on a final and bilateral ceasefire and cessation of hostilities, on paramilitarism and on decommissioning of arms – and, in the end, towards a Final Peace Accord, the question is: wouldn't it be the perfect moment to start implementing some aspects of the agreement on illicit drugs right away?

By: Tanja Nijmeijer, member of th Peace Delegation of the FARC-EP in Havana, Cuba
@tanja_FARC

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The signing of the Final Agreement, Santos' plane and the hug of the girl

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Text: Gabriel Angel Photo: Boris Guevara

And so the Havana Final Agreement was signed, this time in earnest, with no possibility for either of the parties to back down. It is final, and, above opponents of all sizes, nothing can stop the effects of the agreement. The armed struggle of the FARC is over, henceforth our only weapon is the word, said Timo with energy. And so it will.

The only nostalgic aspiration that can reverse what has been signed is a triumph of the No this October 2. But it is clear that the victory of the Yes will be overwhelming. Colombia has no suicidal vocation, only a madman could pretend for the great majority of the country to despise such a historic opportunity. war does not go any further,

the widespread enthusiasm confirms it.

That's what every corner of the country on the evening of September 26 felt. **The loneliness of those who oppose the Havana Final Agreement was evident. Their long faces, their begging for support in marches that inspired pity.** Never before in the history of Colombia had the overwhelming will of the people left someone so isolated.

We felt it there, sitting in the ninth and tenth rows of the Presidency's invited audience, a place that was clearly inadequate for the FARC delegation, where we were designated to sit by the organizers of the event. A reveal-





“ La solución política al grave conflicto que padece el país fue siempre una de las banderas fundamentales de las FARC

ing detail about the bad treatment that the government wanted to give to the FARC the afternoon of the solemn signature. We had it clear.

We have always known how the Establishment sees us, despite their apparent cordiality. We know that our importance is not in any case the result of the position in which they want to locate us. **From the moment in which Timo read the title of his speech, the general public acclaim was enough for our hosts enough to know who the true figures were.**

I dare to say that no one in this country understood the meaning of the act that took place the evening of the 26 in Cartagena as well as the present guerrillas did. I know it because of what was going through my mind. An infinity

of thoughts and conflicting emotions. This was the reason why the best thirty years of my life were spent in the mountains.

We had heard Jacobo Arenas, Manuel Marulanda, Alfonso Cano and other giants of our struggle say it so many times. **The political solution to the serious conflict affecting the country has always been one of the key banners of the FARC.** It was now before our eyes, still seeing, unlike so many who died to make this possible.

I remembered the day I joined the FARC. The hug I gave to my wife, who I mislead with a work trip pretext, feeling that perhaps we would not see each other anymore. **The way I hugged my one year and a half old girl, and the sadness I saw in her eyes, capable of**

predicting that something tragic was coming. The perplexity and pain that I caused to my mom and the rest of the family.

My first steps in the Sierra Nevada of Santa Marta night, and Mario, the leader of the company in which I was welcomed above Mariangola, in Cesar, and who taught me patiently how to walk when the eyes could not see absolutely anything. I heard him say once that the Army would never kill him; he was an old guerrilla wolf and knew what he was capable of.

Years later I learned of his death in an ambush. **Nobody in the ranks ever had their survival guaranteed in the midst of war.** Those who were witnessing the act, dressed for the first time in a very elegant form, those who were watching on the giant screen in Yarí, or across the country on television, were the privileged that won, perhaps because we beat death.

I knew that something extraordinary, a momentous event of unimaginable repercussions was unfolding before my

eyes. The stage, with all the pomp they wanted to impart to it, seemed to me more like the old country that began its agony. The stage in which the Tenth Conference was installed and closed in Yarí -being of the FARC- exceeded it in all aspects.

That can be attested by the swell of international and national press who massively attended to the distant place at the gates of the jungle. **Something like a breath of fresh wind was emerging in national politics with the potential to transform everything. They had tried to stop it with 52 years of ruthless war.** But now, it was there, in Cartagena, in front of everyone.

Recognized and applauded by the international community. Led by a spectacular security scheme set up by the National Police, whose members could not be more friendly and helpful to us. Before starting the ceremony, President Santos entered the room where we waited and shook our hands, one after another, smiling. Another Colombia was being born.



Perhaps the word we most heard was welcome. I remember the conversations that I listened to from the people that were sitting in the row behind ours. Look at them; they are like us, decent, tractable, nothing like we had been told. Some exclaimed in amazement, hearing our commander in chief, listen to him, he expresses himself like a politician, and he speaks with certainty.

It was obvious that they were government supporters, who came as guests to be the applause committee. They were the most terrified with the close passing of the Kafir plane. A stupidity that says a lot about the tasteless

humor of the advisers who recommended the inclusion of this intimidating detail, amid such a context, of children singing to peace and with so many important foreign personalities. I saw fear on their faces, the throbbing complexion of terror in some women, trembling and wondering if those planes always sounded like that. **We smilingly said yes, and that when the bombs dropped they were even noisier.** A chorus of excited voices then congratulated us for our decision to leave the jungle and war. Their eyes showed the admiration they felt.

Pastor had made the observation that warplanes had been making maneu-

vers over the city on the previous day. We thought that they were part of the security deployment, but they were actually rehearsing for what they did. At the time I thought it was a last minute betrayal, we've lived so many, but I inclined myself to think that it must have been for some gross exhibition.

Very proper of the old country of which I speak. The girl I left home ran to Cartagena as soon as she learned of my presence. The permission to see each other was obtained. And so I hugged that beautiful woman, mother of the little grandbaby that looks like her in the photos. I felt a dodgy happiness when seeing my daughter ironing with

infinite love the dress I would wear to the ceremony.

Many years of lost happiness stood before me with astonishing novelty. I love you, Dad, she repeated many times. When saying goodbye she begged me in tears to take care of myself so that they wouldn't kill me. She didn't want to lose me now. I assured that it would not happen. A new country was being born before our eyes. We had conquered it with so many years of pain and anguish.

Cartagena de Indias, September 27, 2016.

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About Kafir planes at the 26 September Ceremony

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Text: Timoleon Jimenez Photo: Boris Guevara

The unfortunate presence of Kafir planes on the day of the signing of the Final Havana Agreement has already been widely discussed and commented. There are many who wonder to what obeyed the menacing warplanes appearance on the scenario at the time the commander of the FARC-EP was finishing to deliver his speech.

In general we may conclude that there was a consensus on the rejection of such an event. Inopportune, impertinent, and even highly dangerous. On the stage among others, were at the ceremony the Secretary General of the UN, the United States Secretary of State of America, fifteen presidents in office and you can go to add former presidents and others.

It is even rumoured of possible diplomatic complaints against the government of Colombia. Events of this nature are supremely serious, solemnity being so high that a joke of such bad taste does not admit even be thought of. There were shocked foreign journalists who even suggested the possibility of a coup. And many minds were crossed by the idea of a dirty betrayal.

Why President Santos gave the green light to such absurdity, amid the official ceremony that sealed the end of armed conflict after fifty-two years of war? A few minutes before the choir of children and adults would give free rein to the portentous interpretation of Ode to Joy, and that he himself would cry out for no more war in Colombia?

We do not expect a public explanation about it, perhaps nor even a private one. As the death of our commander Alfonso Cano, in the middle of the first exchanges that led to the successful conclusion of this process, it is just one of the many provocations we had to face, with great serenity and good judgment along these years and until the last moment.

However, we would wish to refer to the treatment that some media commentators conferred to the fact. In particular the note prepared about it in the newspaper El Tiempo and that published by the portal las 2 orillas on the web. The two notes agree that it was a last moment show of force, with which the State wanted to show us its final victory.

We have not enough time to read all the columns of the great press, but enough is to know the content of the aforementioned, to imagine how many more columns have been developed and published on the same tone. In fact, the unanimous decision of the editors of the mainstream media was to present the surprised face of Timochenko in the foreground, to talk about his fear.



His fear of the airpower of the Colombia Army, his fear of the engine noise and bombs, his panic for an unexpected and instant death. And after this, they let the door open to the subsequent speculation. The FARC were taken defeated to the Negotiating Table, defeated at the point of bombs. Is there any more palpable evidence of this than the photograph displayed?

It's difficult to find a more appropriate adjective other than diabolical to describe the way the issue is addressed by the media in question. We're sure that none of those who write such notes has ever heard the sound of a fight, beside that seen in a film, a documentary or a video news produced at a safe distance.

Anyone who knows the classic video French journalists made on Marquetalia and Riochiquito times would know that since then the aircraft has been used to bomb and strafe camps, guerrilla units and even civilians. If that had been the proper procedure to defeat us, war would not have lasted for half a century.

Something smells rotten in such notes. As El Tiempo highlights that thanks to the bombs Raul Reyes, Jorge Briceño and Alfonso Cano were killed, the note published by Las 2 Orillas expands on a FARC being coward and shaking, signing the Final Agreement imposed by the national government by way of summons. The same array of long years of war.

It's no worth it answering to the authors of such absurdities. At the end of the day they are simple amanuensis expressing the resentment of certain circles of power absolutely offended by what has been achieved by the FARC. We feel that the great majority of the country joins us in this victory of the Colombian people: we have won peace and how much is this hurting some people.

They should remember Baron von Clausewitz, and his fundamental text on politics and war. This is nothing but the continuation of the first by other means. And more than the annihilation of the contender, victory consists in imposing one's will on the opponent. If something is perfectly clear in the Havana Agreements, it is that there were no winners or losers.

FARC will continue making politics, openly and legally, without weapons, carrying our message of renovation and change throughout the country. With full guarantees from the State. We are sorry but we exit war through the front door, with official recognition of the UN, the European Union, the United States and virtually every country in the world.

That can not be denied not even by our staunchest detractors, rather shocked and teary while watching the demonstrations and omens of success given to us by the whole of the international community, the government of Colombia, and especially the sea of personalities and social, political, artistic and cultural organizations that have applauded the Final Agreement.

Some serious mental disturbance should suffer those inspiring the writers in question. Those who clap their hands to the alleged fear the Kafir gave Timochenko and his people in Cartagena on 26 Sep.: this reveals rather how hugely misplaced they are today in Colombia and the continent, military demonstrations of brute force and terror.

We could write an essay about the disproportionate and immoral character of the air war against guerrillas. Something that everyone assisting the ceremony of 26 Sep. perceived immediately. But it's not worth stirring things up with that now. We signed the end of the conflict and go for reconciliation, for forgiveness, for a Colombia without hatred, in peace and social justice. So be it.

Havana, September 30, 2016.

Timoleon Jimenez, head of the General Staff of the FARC-EP

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The Final Peace Agreement is permeated by the Gender approach

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Text: Orsola Casagrande Photo: Boris Guevara

No doubt an important and new achievement of the peace talks carried out in Havana was the creation of a Gender subcommission on September 7, 2014. The Commission was created in order to “review and ensure, with support of national and international experts, that the partial agreements and the eventual final agreement have an appropriate gender approach”.

The situation of women in Colombia is complex, with different economic, political, social and cultural problems for Afro-Colombians, indigenous people, peasants and people from the city, among others.

The importance of the Gender subcommission lies in satisfying the expectations by social and women's organizations in Colombia and the world regarding the peace talks as a starting

point for seeking a solution to the problems of women and their human rights. The FARC-EP considers that the fundamental role of the gender subcommission should be to meet the mandate of women's organizations in Colombia and the world, expressed through the UN, by the Convention of 18 December 1979 on the Elimination of All Forms of Discrimination against Women and the various conferences and resolutions regarding women and gender, such as the Beijing Platform for Action of 1995 and the International Declaration of the rights of peasants and other people who work in rural areas, 2012, among others.

The inclusion of a gender perspective in a peace process such as this one is unprecedented in the world, and seeks primarily to create conditions for women and people with different sexual identity to be able to access on equal terms



many women organisations, indigenous communities, LGBTI representatives have been visiting the Cuban capital to debate about problems and issues affecting women

to the benefits of living in a country without armed conflict.

The Gender Subcommission reviewed and included gender perspective in the points of the General Agenda: 1: "Towards a New Colombian Countryside: Comprehensive Rural Reform", 2: "Political Participation, Democratic opening to build peace", 3: "End of Conflict", 4: "Solution to the Illicit Drug Problem" and 5: "Victims".

In the first point of the Final Agreement on the Comprehensive Rural Reform, one of the principles is that of "equality and gender", which recognizes women as subjects of rights and dissociates the imaginary most have on the property of man and family of the bodies of women, to demand the guarantee that women can own land.

In the case of the point on illicit drug, the agreement states that there will be safeguards to ensure that women participate in the planning, implementation, monitoring and evaluation of the process of substitution and alternative development and are trained to combat drug-related violence that particularly affects women.

Regarding sexual violence, which has been classified by the women's movement as a strategy of war and territorial control, it was managed to put it into the agreements as an offense that is not subject to amnesty. In addition, it was determined that the Peace Court of the Special Jurisdiction for Peace will have an Indictment Research Unit provided with a specialized team in the phenomenon of sexual violence.

The achievement has been that the gender approach built by the subcommission has been incorporated in each of the points agreed.

In order to achieve such a result, the negotiating table brought three times to Havana women's organizations, activists, veterans, LGBTI and regional women leaders. All brought their proposals that contributed to the construction of a gender perspective for each point of the agreement. Proposals by civil society were also received through the mechanisms of virtual communication and the delegates of the guerrilla participated in multiple videoconferences with social and popular organizations, academic world and various communities for proposals, debate and feedback on visions, opinions and positions on gender.



Boris Guevara







DIÁLOGOS DE PAZ
LA HABANA, CUBA





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Women will have a leading role in building peace

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VICTORIA SANDINO IS COORDINADOR OF THE GENDER SUB-COMMISSION AT THE PEACE NEGOTIATION TABLE IN HAVANA AND REPRESENTATIVE FOR THE FARC-EP TO THE COMMISSION OF VERIFICATION OF THE AGREEMENTS. MEMBER OF THE HIGH COMMAND OF THE FARC-EP WESTERN BLOC (COMANDANTE ALFONSO CANO), SHE JOINED THE GUERRILLA IN 1992.

SHE WAS BORN IN 1965 IN TIERRA ALTA, CORDOBA. SHE STUDIED JOURNALISM AND AT PRESENT SHE IS TERMINATING A MASTER IN EQUALITY AND EQUITY FOR THE DEVELOPMENT.

Text: Orsola Casagrande - J.M. Arrugaeta Photo: Boris Guevara

Between the causes of the adjusted triumph of the No-camp on October 2 in the referendum that had to ratify the Agreements of Havana some indicate the gender approach. What do you think about it?

First of all, I would like to point out that the dynamics the process had been gaining since the signing of the Agreement [she refers here to the first Agreement, signed on 24 August in Havana] was crucial and was so active that for example the FARC had already designated the Implementation Commission. We are at a step from putting it into practice, like the mechanism of 180 days [for the abandonment of weapons]. All that has stopped since the plebiscite of October 2, where the

No-camp won, for a minimum margin but won.

Among the many aspects that are sought to justify the result is the gender approach that has been applied to the agreements. And not because it is anything revolutionary, we are talking about things that have been conquered in other progressive countries, including those more capitalist.

Can we say that there is a significant part of Colombian society that is very conservative?

I insist that they are not great demands, but even so the most reactionary and conservative sectors were alarmed by the gender approach and



used lies and fallacies to instil fear in part of the population. In conclusion, the Agreement itself was put at risk, because the Agreement as such already exists and is what was signed.

So what has the NO-camp really put at risk?

The implementation of the Agreement, the atmosphere of serenity that had to work so that the changes that Colombia needs could be produced, and that was worrisome. In this regard I again emphasize the fundamental importance of the role that the international community can play on the one hand and women on the other hand to overcome this impasse as soon as possible.

Can you tell us how women can contribute?

Through notifications to the parties, public letters, statements, events and meetings, both in Colombia and abroad. Reference must first be made to the role played by women in this process through the gender subcommittee, which has been an unprecedented experience, never before present in any peace process. It should be stressed that this is part of the gains and thanks to these actions we have achieved a gender approach in the Agreements. We need this approach to become a reality and to be implemented for the good of all Colombian women.

“ We have to refer the role played by women in the process through the gender sub-commission, an extraordinary experience never seen before in peace processes ”

Many experts and protagonists of other peace processes have said that the gender approach is a novelty in the Colombian case.

It has become a reality throughout the Final Agreement, that is to say in the agenda of talks on the basis of which we negotiated the 6 Points of discussion and in each one of these points this approach appeared. An example on the subject of land. The Integral Rural Reform Point recognizes the possibility of women of having equal access to education, technical assistance and the acquisition of loans. The same approach is true for all points, and in some respects the prioritization of women is also contemplated give the conditions of inequality in Colombia.

The proposals adopted in this field have not been just listed by the FARC-EP. In what way has it been possible to collect and synthesize proposals from such diverse sectors of women?

First, we set up a gender subcommittee at the Negotiation Table in Havana, whose first objective was to listen to the proposals of women who had attended public hearings in Colombia

and then brought them to us in Cuba. In addition there have been meetings with many women representing social organizations and representatives of the LGBT population. All were present at the public hearings and expressed their concerns, their proposals and their observations to the agreements. We have taken on board the proposals that were viable and accessible, and we introduced them as negotiation topics at the Negotiation Table. As far as the FARC were concerned we accepted almost all the proposals that came from the public hearings, and of course another negotiation process began at the Table, which finally approved them in plenary in its entirety.

From the signed and agreed to its implementation there is a long way to go. How these intentions translate into reality and how are they verified?

There are several elements to implement the Final Agreement: One is the mechanism that has been established between the parties, bilaterally, the so-called Implementation, Follow-up and Verification Commission, and also to resolve differences that may arise. This is a national mechanism,

“ We have taken historic decisions for the organization and the life of guerrilla women ”

composed of three plenipotentiaries from the FARC, three from the Government at the level of ministries. In addition, this commission must establish regional and local mechanisms for the implementation of what has been agreed in the territories and to ensure the participation of all Colombian society, that is to say, peasant communities, Afro-descendants, indigenous and native peoples. Of course, the women themselves, the people. This is the mechanism that we have and must be put into operation.

You said in a meeting that “you, women, do not intend to change rifles for pans”, nor to give up the rights acquired in your guerrilla camps. Many women are part of the FARC, but this has no correlation in the chain of command. What has been decided on this issue in your last X Guerrilla Conference?

Historical decisions have been taken, of vital importance for the life of the organization, and for the lives of guerrilla women, but above all for the future that awaits us, that is, the transformation from a political-military organization like ours into a political organization. For the first time in our history there was at the Conference a

very high representation of women: 34% of the delegates were women. Moreover, this was reflected in the discussions, and not only as women militants of the FARC and for what we have contributed in the war and in the confrontation during these 52 years, but also today in terms of peace, the process of Negotiations and construction of agreements. How does that reflect? Well, precisely in an empowerment of our feminine force within the organization, but also outwards, towards the whole of Colombian society as political subjects as we are. We are in a condition and we have the ability to put all our strength towards the building of a new Colombia, that is what we are offering because we know that Colombian society is not prepared to guarantee the rights that as empowered women we have won in our organization.

You have repeatedly referred to international support and solidarity. In the case of the gender approach, how can women from other parts of the world help you in implementing that will?

The international support, and support of women in a very particular way, is fundamental. European soci-



eties and women have made significant progress as far as recognition, guarantee and conquest of their rights as political subjects are concerned. Many of these women have achieved the recognition and protection of their sexual and reproductive rights. These experiences are fundamental to our struggle. Soon we, the guerrillas, will be in the “transitory zones” and then in the territories. During that process there will be an international accompaniment that we are ready to receive, but also to exchange experiences with these women: politicians, academics, religious women, intellectuals, trade unionists, feminists, members of the popular movements will be welcome.

These exchanges will enrich us as social leaders, and as women leaders of the new movement in which we are going to constitute ourselves. Many actions can be done, we have already said that we also want to train professionally. In all these fields there are many steps that can be taken with international cooperation, where there are many women who can contribute to the training to which we aspire.

We want to share our knowledges, put them at the service of society in many specialties such as health, communication and, why not?, as direct promoters of the peace and human rights that we are building.

A society searching for truth

Text: J.M. Arrugaeta

Los principales actores actuales del conflicto colombiano parecen haber asumido el esclarecimiento de la verdad histórica se puede tomar como cimiento indispensable para un futuro, seguramente cercano, de paz y normalización política y social. El Centro Nacional de Memoria Histórica (CNMH) ofrece un trabajo de reconstrucción de la verdad histórica fundamental.

Refiriéndonos a víctimas, el Centro (que ha publicado más de 25 informes) establece algo parecido a una base de datos, que sus redactores asumen como parcial y limitada, pero que nos adelanta desde ya las amplias y dramáticas consecuencias de esta confrontación armada y social. En la etapa de 46 años que se analizan (1958 - 2012), los autores han constatado más de 220.000 muertos, de los cuales 41.000 corresponderían a combatientes, y el resto, un 81.5%, serían civiles. A los cuales habría que añadir los secuestrados, heridos, desplazados (la mayor cifra del mundo, de acuerdo a organismos internacionales), y otros afectados.

Datos de mucha magnitud con los cuales este informe, gubernamental, echa por tierra defin-

itivamente cualquier visión o argumentación, simplista, e interesada, de que el conflicto armado y social colombiano con un fenómeno de simple "terrorismo". Si habría que calificar este documento en pocas palabras habría que decir que no solo es altamente recomendable sino imprescindible, para poder comprender la realidad y la actualidad colombianas.

El otro gran crimen que ha gozado de invisibilidad y ocultamiento es la desaparición forzada. El Registro Único de Víctimas de la Unidad para Atención y Reparación Integral a las Víctimas reporta 25.007 casos ocurridos desde 1985 hasta el 2012. No obstante, los casos de desaparición forzada se remontan a la década del setenta, lo que puede elevar el registro a 27.000 desaparecidos si se tienen en cuenta los casos documentados por las organizaciones de derechos humanos y familiares de víctimas.

Los muertos y desaparecidos no son la única referencia para mostrar la magnitud del sufrimiento que ha causado la guerra en Colombia. Hay una violencia que no es letal, pero es igualmente destructiva. El secuestro, el desplazamiento forzado, la violencia sexual, las

minas anti-persona y la destrucción de bienes han sido secuelas profundas del conflicto. La mayoría de ellas siguen ocurriendo todavía.

Desde los años setenta el secuestro se convirtió en una modalidad de violencia usada por las guerrillas (en un 90%) con fines económicos o políticos, y prácticamente no hay grupo insurgente que no haya recurrido a él. Para entender la magnitud de lo que ha sido el secuestro en el conflicto basta con constatar que el Grupo de Memoria Histórica pudo documentar 27.023 casos, 16.000 de los cuales se registraron entre 1996 y el 2002.

El otro delito no letal que ha cambiado por completo al país es el desplazamiento forzado. La cifra oficial asciende a 4.744.046 personas y se estima que por lo menos 8,3 millones de hectáreas y 350.000 predios fueron abandonados o despojados. Durante los peores años del conflicto, entre 1996 y el 2002, fueron desplazadas 300.000 personas por año. Si se concentrara a los desplazados en un nuevo asentamiento urbano, este constituiría la segunda ciudad más grande de Colombia después de Bogotá.

Los grupos armados llevan muchos años desplazando a los campesinos, indígenas y afrodescendientes, bien sea para usar sus tierras como corredores de movilidad de sus tropas, para consolidar rutas de narcotráfico, porque están interesados en controlar la riqueza minera o natural de esos territorios o para hacerse a la tierra en favor de proyectos e inversiones de sus aliados.

El desplazamiento forzado ha sido también un crimen invisible, ya que el 73% de las personas tuvieron que desplazarse de manera individual y no en los éxodos que han sido registrados por la prensa. Las familias llegaban a las ciudades una a una, con sus pertenencias al hombro, a engrosar los barrios marginales, a veces a pedir limosna, sin saber cómo sobrevivir en el mundo urbano. Municipios prósperos como San Carlos, en el oriente de Antioquia, vieron desplazar el 90% de su población, lo que supuso un daño inconmensurable para la vida de cada una de las personas que allí habitaban, y para la economía, la vida social y cultural de la región.

www.centrodememoriahistorica.gov.co

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Agreements signed in Havana
are not peace but the
beginning of it

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Text: Orsola Casagrande - J.M. Arrugaeta Photo: Boris Guevara

HAVANA. BORN IN BOGOTA IN 1962, IVAN CEPEDA IS CURRENTLY A SENATOR FOR THE ALTERNATIVE DEMOCRATIC POLE, AND A PROMINENT MEMBER OF MOVICE, A GROUP OF ASSOCIATIONS OF VICTIMS OF STATE TERRORISM. HIS FATHER WAS A LEADER OF THE COMMUNIST PARTY AND A PROMINENT LEADER OF THE PATRIOTIC UNION, AND WAS MURDERED IN 1994. GRADUATED IN PHILOSOPHY, A SPECIALIST IN INTERNATIONAL AND HUMANITARIAN LAW IVÁN CEPEDA IS UNDOUBTEDLY ONE OF THE MOST AUTHORITATIVE VOICES IN COLOMBIA COMMITTED TO HUMAN RIGHTS AND PEACE IN HIS COUNTRY.

Recently the government and the FARC have signed in Havana an agreement on a bilateral ceasefire and a sort of roadmap for concentration areas for guerrillas and subsequent decommissioning of arms to be carried out under international verification. The Havana talks seem to have reached a point of no return. How do you view these agreements? It is neither more nor less than the official declaration of termination of the armed conflict in military terms. I means ending more than half a century of fighting that has left millions of victims in Colombia. It is an agreement that divides the contemporary history

of our society in two and marks the beginning of a new era which will allow to democratize the country, develop social struggles without the danger of physical elimination of those who want social change. It is also the result of an agreement developed by the military and the guerrillas, which makes it even more important. It is not peace, but it is the beginning of building peace.

Everything, however, is still pending a final agreement.

Neuralgic issues remains to be agreed, it's true. For example the whole question of the way how the FARC-EP will rejoin the social, political and economic



It is the most relevant political achievement in years in Colombia



life while undergoing a transformation into a civil and legal force. There are other issues too: the guerrilla political participation, compliance with the agreements, their legal implementation and the issue of international and national verification of that implementation. Then comes the countersignature of the agreements by popular vote and the period in which the guerrillas will remain in peace areas where they will have to put weapons beyond use under international verification. This will be a period in which security guarantees will be tested and during which paramilitary structures will have to be defeated as well as those sections of the extreme right which no doubt will try to undermine peace.

Negotiations with the ELN (National Liberation Army), the other guerrilla force still active in Colombia, have not begun yet. Could this be a problem?

I am convinced that peace with the ELN is essential and it is also possible at this stage, simultaneously, with the construction of peace agreements coming from Havana. I do not share the skepticism about this process nor the idea that making peace with the other historical guerrilla movement is an impossible task. In fact already was recorded a first landmark agreement between the government and the ELN: the preparation of the agenda of talks and the decision to establish the table of dialogue. I am confident that in the coming weeks that table will be established and we'll see a successful process with the ELN.

The process of peace talks between the FARC and the government in Havana begun over three and a half years ago. What impact do these dialogues have in Colombian society?

I think that is the most important political achievement that has occurred

in the country in years, the most democratic event that has occurred, which has allowed the emergence of a new political situation. I do not think it's coincidence that the years of the process are also those of the largest social mobilization in decades. The peace process has allowed, in many areas affected by the conflict, the possibility for organizations and communities to speak out: all these sectors have come out to protect, defend and support the peace process. In my view it is the expression of the positive impact the process of talks has had on the country.

Perhaps one of the most complicated issues, given the magnitude of the figures in this conflict, is that relating to victims and justice. How do you assess the progress made so far?

I'm a member of the national movement of victims of State crimes. We have raised an essential discussion

about what it means "repairing" and who are the victims. It would be absurd to think that the armed conflict and the violence that occurred would not have left a heavy burden of pain and suffering at all levels of society. Almost every Colombian family has been affected by this conflict and this burden of pain and suffering must be given a solution in the framework of the agreements.

Many victims are in the rural sections of the society: there are official reports saying that 6 out of 10 victims are indeed farmers or of rural origins. Now the question is what is reparation, justice for these victims? Some would simply like to reduce the problem to a question that seems "mandatory" for public opinion: will the leaders of the guerrillas end up in jail?

And a second issue that is substantial and that also has to do with thousands of victims, is what measures will be taken to ensure that sectors that have



Under media and psychological pressure it was very difficult to build a mature and balanced opinion on the process

literally been exterminated in Colombia could exercise their political rights. I mean of course the Communist Party, the Union Patriótica, peasant organizations, etc I believe that the measures discussed in this specific point of victims should be related to the second point that has been agreed, ie there must be a process of creating conditions for these organizations of victims are compensated at political level, at historical truth level and in terms of recovery of their rights. And of course here is the problem of historical truth.

Could truth be sacrificed in the name of achieving a final agreement?

In Havana for the first time was pro-

duced a report with an official character, the result of a political agreement, in which there is more than one version of the story, ie you can see reality from different perspectives. This shows that we are talking seriously: this report is a kind of patchwork quilt, as we say. In this report there are specialists, very respectable, who have said things that had not officially been said. I name one, a simple one: it was for the first time officially stated that the United States have been directly involved in the armed conflict, and have used the "war on drugs" as a pretext to intervene in Colombia. At the end of the peace process there will be a shared narrative among citizens in Colombia about historical reality. Surely it will

take decades for us decant what has been the Colombian reality.

There is a great debate about the question of recognition of responsibilities at the highest level and of course there is the issue of non-repetition that is crucial for the rights of victims.

There is a section which wrongly identifies an agreement with the FARC and the decommissioning of arms with peace. What do you think about this?

The idea that the guerrillas would disarm and that, by a kind of magical act, the possibility of armed conflict in Colombia in the future will disappeared,

is a false idea. The big question here is: What about paramilitarism? That apparent "small detail" remains a reality very present in many rural areas and in many cities.

Here are a spectrum of very serious issues that need to be addressed. Answers are to be found and that is what talks in Havana are trying to do. There should be a satisfactory model for all victims, those caused by the State and political power, by the guerrillas and others. We will have to take responsibility and consequently sanctions, but the question we have to ask ourselves is whether we want this process to be successful and sustainable over time.

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Political Prisoners preparing for politics after final peace agreement

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Text: Verdad Abierta

SIX MONTHS HAVE PASSED AFTER THE PARDON GRANTED TO 30 MEMBERS OF THE GUERRILLA GROUP, BUT THE FORMER PRISONERS HAVE EXPERIENCED SEVERAL PROBLEMS IN THEIR RETURN TO CIVILIAN LIFE.

DESPITE BEING STUDYING AND BEING TRAINED AS PEACEMAKERS, THEIR HEALTH CONDITIONS HAVE NOT IMPROVED AND SECURITY GUARANTEES ARE FAR FROM IDEAL. IN PRISONS THE SITUATION DOES NOT IMPROVE.

The day William Antonio López was granted freedom, one of his wishes was to move to the municipality of Envigado, Antioquia, to visit his family and from there start the path of reintegration into civilian life, taking advantage of the benefit of the pardon which, for health reasons, the national government had granted him and 29 other guerrillas detained in various prisons in the country in November last year.

However, days after his arrival at the farm of his parents, members of the so-called “Oficina de Envigado” threatened López repeatedly and ordered him to leave the region on the grounds that he was a military target as a member of the FARC. The situation forced him to move and leave his family.

Meanwhile, Aristides Luna together with seven other pardoned guerrillas seriously ill, believed that after leaving prison their health care would improve; however, they found that after being affiliated to the EPS Capital Health, ap-

pointments would be delayed, they would not receive the medication they needed and their assistance would not be a priority for institutions.

VerdadAbierta.com spoke with Sandra Patricia Isaza and Ulises Ever Verbel, two of the 30 people granted pardon by the national government. Both live in a house in the west of Bogota, where they joined the reintegration program agreed with the Office of the High Commissioner for Peace and carried out by the Colombian Agency for Reintegration.

The purpose of this conversation was to identify the challenges that they have to face in their transition to civilian life, know the current situation of prisoners of the illegal armed group, their approach to the talks in Havana and their role in a post-agreement scenario.

Daily life

Despite their actual everyday life being very different from that in the guerrilla

ranks, in the house some things that evoke everyday life in the camps are still working: there are specific times for studying, where besides discussing the agreements they prepare the pedagogies they then give to prisons, other times are for leisure, there are those who read the Bible, and those who consult the informative material arriving from Havana.

Ever and Sandra ensure that the release from prison helped them to regroup and regain the discipline they were observing in the mountains.

To date, the group being granted pardon is being trained in a course system provided by Sena and those who have not reached secondary education are waiting to start in August a leveling course and graduate as bachelors.

"I was afraid to start studying because I believed that being in the FARC we had isolated ourselves from the advancement of society, but the reality is that, in the guerrilla ranks we have vision, there are many things that the forest teaches us that titles can't provide" says Sandra, who has participated in forums and academic events to publicize the prison situation and the commitment of prisoners and pardoned guerrillas facing the post-agreement phase.

The most latent concerns remain the same they were demanding when they were still deprived of freedom: safety conditions and health care. Although the National Protection Unit (NPU) es-

tablished a mechanism to ensure the integrity of each of the pardoned, only one has made use of the protocol, others believe it is better to avoid giving much evidence and ensure that the only guarantee they could actually have is "the dismantling of paramilitary structures."

"The condition of being guerrillas puts us in an extraordinary risk, that is, by our political condition we feel threatened. Who will ensure that nothing happen to us from here to Acacias? Or that on the Ibagué route, the Chaparral do not attack us? Until paramilitary groups are not defeated it will be very difficult to have optimal conditions for the exercise of political opposition", says Sandra.

In the house, the weight of the armed confrontation is seen in each of the bodies of the ex-combatants: there are people with amputated limbs, others with disabilities and some with kidney disease because of the "aftermath of war" as they call it. They ensure that despite holding EPS the access to services are not guaranteed due to the shortcomings of the health system.

They demand greater diligence in the attention, especially of the eight priority cases they have, because they want to avoid a repetition of what happened with John Jairo Moreno, who died on 5 February in the San Jorge Pereira hospital because of a liver disease.

Paradoxically, their situation is not so different from the humanitarian cri-

sis that exists in prisons, and which has been denounced since 2013 by the Ombudsman, state agency that repeatedly warns about the deterioration of sanitation and overcrowding.

The commitment that never was

After the pardon, one of the commitments of the national government was to establish special areas within prisons to concentrate FARC members and initiate a series of health brigades at national level to give special treatment to prisoners with serious illnesses. However, failure has led prisoners to go on hunger strikes and call "peaceful disobedience" actions on several occasions; the last one started in Bogota two weeks ago and has spread to other prisons.

From La Picota prison in Bogota, René Nariño a prisoner of the insurgent group, who is serving a 13 years sentence, told VerdadAbierta.com that the special yards within prisons remained on paper because to date they are mixed with common criminals: "Although several censuses were made by both Inpec as by us, we never had a yard where only the FARC prisoners go. This has led to threats being still present and some other tension with prisoners in other yards who saw us as a target." As to health conditions, according to figures from the Solidarity Legal Corporation, out of the 324 urgent cases existing, about 80% have been assessed. According to John Leon, spokesman for the organization, this has become a "salute to the flag."

"Those who have been assessed have seen their illnesses confirmed, but for example prisoners with orthopedic problems are not taken care of, there are no medical specialists, nor terminally ill cases are being prioritized" points out the leader.

The proposal made by those granted pardon to the Office of the High Commissioner for Peace is that they allow international non-governmental organizations that act as guarantors of the process and have offered to provide services, are allowed to enter prisons to establish the brigades. It is pertinent to recall that since July 2015 a group of intellectuals from several countries called for the release of 71 political prisoners who are in serious health conditions, ensuring that they have the willingness to help expedite the process.

For now, the various agents keep pushing at institutional level so that what has been agreed is also implemented and the most urgent cases are given the attention they deserve. Meanwhile, political and war prisoners have decided to continue the strike prison parallel to the development of educational activities, such as theatre plays, in detention centers to raise awareness about the crisis in the health system nationwide.

Prison is also a space for qualification

"Since we were granted pardon, we left jail with the commitment to socialize the agreements with comrades who remain in prison. Pedagogy is not just talking to them and that's it. It's a guide



According to the Agreement there will be a wide amnesty benefiting thousand of members of the FARC-EP

led through training and knowledge, rather than just going to talk, its going and listening to the questions posed by comrades and try, if possible, to make things clearer", says Sandra.

According to figures from the Solidarity Legal Corporation, 21 educational activities have been conducted at national level, the first, on June 10 in the Picota prison in Bogota. There, the leader of the FARC, 'Timoleon Jiménez', and 'Edilson Romaña', one of the negotiators in Havana, addressed by videoconference the group of prisoners to tell them about progress in the process. "We are not going to demobilize, we will emerge in the political life of the country under conditions that guarantee us a minimum of safety and political guarantees", said the leader of the insurgent group.

From La Picota prison in Bogota, René Nariño said that despite being held for a very limited time -about three hours- the pedagogical encounter was satisfactory, among other reasons because Enrique Santiago, legal adviser of the Legal Commission of the FARC in La Havana, was able to answer most questions related to the Special Court for Peace, which aims to investigate,

clarify, pursue, prosecute and punish serious violations of Human Rights and grave breaches of International Humanitarian Law (IHL) held in the context of war and because of the armed conflict.

"The comrades are very excited: being able to interact with the delegation in Havana strengthens the people, it has been a rebirth for all, one can see the happy faces of the commanders. Now we have part of the picture clear and it's up to us to study thoroughly the agreements and go out and do politics, for those who choose to continue in the organization", says René Nariño.

However, not all prisons have been able to make pedagogy for peace. In Picalañá, Ibagué, inmates in special high security units were not transferred to the yard where the videoconference with Havana was going to take place, because, according to INPEC [Colombian Prison Guards], such inmates are under a maximum security and require a protocol could not yet be established.

"What seems illogical is that inmates could not be moved within the same prison, it seems contradictory that while for example Ivan Marquez [FARC-

EP leader and Peace Delegate] was accompanied [by police forces] to the funeral of his mother, in prison, what could happen? It's negligence by the INPEC", says Sandra, adding that several prisons do not allow into the penitentiaries the official documents of the guerrillas as they consider it material that makes apology for subversion.

The route through the various prisons in the country will continue until the signing of the final agreement is reached between the two parties. Guerrilla combatant named Ever, said that all guerrillas have assumed an implicit commitment to start studying and socializing agreements with other prisoners, whether they are or not guerrilla members; also - he insists - that the pedagogy should also be for the institutions and their officials, in order to prevent the generation of stigma and prejudice against those who exercise socialization campaigns.

From amnesty to political party

Although both are aware that not the entire bulk of prisoners will remain as part of the organization after leaving prison, they believe that the political conviction and the years spent in war will make them reassert their position within the organization in order to dispute power through politics without weapons.

As agreed, after the signing of the Final Agreement the broadest possible amnesty will be granted to members of the insurgent group who have committed political and related offences, as has

happened in other peace processes, such as the one with the Irish Republican Army (IRA), where 433 veterans were released from prison after signing the Good Friday Agreement in 1998, having been granted amnesty.

"In my condition of a revolutionary woman I'm not afraid to be killed, what terrifies me is to die without doing anything. You have to leave the seed planted in the new generations, everyone deserves new opportunities" says Sandra, who is trained as a promoter of peace, in order to help the movement that will be created in the post conflict phase.

Ever states that the political party or movement will also be composed by the people who have sympathized and made part of the inner circle of the organization during these 52 years of existence, "the media and the ruling class forget that we have built schools, hospitals and roads where historically the State has not entered, there, we have a strong social base, without the people it would have been untenable to keep standing for so many years".

Both say that, like the chief negotiators have said, that they will not enter the political arenas to for individual purposes but to join forces to overcome the crisis in which the left is submerged and where individual interests prevail. "We have to make a huge work with the masses to win their consensus, we have to do this with leadership", they conclude.

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Guerrillas are optimistic and think of the post-conflict, says FARC-EP Peace Delegate Nijmeijer

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Text: Orsola Casagrande - J.M Arrugaeta Photo: Boris Guevara

HAVANA. TANJA NIJMEIJER IS KNOWN AS “THE DUTCH GUERRILLA”. INDEED SHE IS A YOUNG DUTCH WOMAN WHO, AS A UNIVERSITY STUDENT, WENT TO COLOMBIA WHERE HER CONCERNS ABOUT POVERTY AND INEQUALITY (AS WELL AS THE RIGHT TO FIGHT FOR JUSTICE) BECAME SOMETHING NOT THEORETICAL BUT STORIES AND FACES SHE COULD ACTUALLY TOUCH WITH HER HANDS. SHE ENDED UP STAYING IN COLOMBIA AND JOINING THE FARC-EP. SHE IS ONE OF THE MEMBER OF THE GUERRILLA'S PEACE DELEGATION IN HAVANA.



“ The Agreement on Victims, including the special Jurisdiction for Peace, is important and pioneering at international level

Three and a half years after the beginning of the peace talks in Havana what is your assessment on what has been reached so far ?

So far we have reached four partial agreements: one called Comprehensive Rural Reform, another on Political Participation, one on illicit Drugs and one on the issue of Victims. All of them have their outstanding points, which total 42, and some unresolved issues. These include, for example, land concentration, adoption of the UN declaration on the Rights of the Peasants, and participation and popular and social control in the process of public policy and planning, and, in particular, in the economic policies. The FARC-EP thinks these issues should be resolved by the Colombian people, through a National Constituent Assembly.

I would also like to mention the agreement on Victims, including the Special Jurisdiction for Peace, as important and pioneering at the international level; I think it embodies a concept included in the Agenda: Victims are at the center of this peace process. It is

also satisfactory in the sense that it puts emphasis on restorative and prospective justice, more than on punitive measures. The meetings with representatives of victim's organizations have been really important in this sense to understand that for them, truth and non repetition are crucial to come to reconciliation.

The land issue is one of the most important issue because it deals precisely with the roots of conflict. How satisfactory is the agreement reached so far ?

It is satisfactory in the sense that it contains a lot of plans and programs aimed at the development of the countryside in Colombia. The discussion was really smooth on the issues of education, technical development, health programs and loans for people who live in rural areas, because the government was fully aware of the fact that the countryside the way it is right now with its new-feudal characteristics, doesn't have any chance to survive.



However there are problems on the countryside that can't be resolved with "impacting plans and programs" and that require a deeper analysis and solution, like for example land concentration or Free Trade Agreements. The government pretends to provide medicine for the symptoms of the illness without examining the illness itself. Many of those issues are still to be resolved by the National Constituent Assembly, because the government wasn't willing to discuss them at the Table. There is this important topic of extractive mining and energy projects by multinational companies; how could we change the regulations for them, so that they would also benefit Colombian peasants, or Colombians in general, and not just the company?

The land issue also has to do with the agreement on drugs. How would you describe this agreement ? What are the main points, what the innovative points...

Capitalism punishes growers and consumers, while it is drug-traffickers and money-laundering who should be persecuted. The agreement is a first step in changing national and international anti-drugs policies. The substitution programs are therefore designed in order for coca growers to pass to legal crops as soon as possible and voluntarily (and I stress this, voluntarily). It is therefore indeed closely related to the agreement on land reform. It is impossible to think of crop substitution without providing the coca growers with other ways of livelihood or without bettering their living conditions.



As far as consumers are concerned, the problem is treated as a public health problem and so as a responsibility of the state. Production and marketing of narcotics is the part of the chain that should be identified and effectively persecuted and punished according to criminal law.

The government think of the so called "concentration areas" as some sort of confinement camps or open air prisons. How do the FARC see these areas?

We have called them camp zones or peace territories and we are still elaborating visions on how these zones should work. One thing is for sure: they

are not going to be open air prisons, like the government indeed has tried to make them look like. According to the vision of the whole peace process and the agreements already made, we believe these areas should contribute to building a better society. They should be located in areas where we have traditionally lived with the people and they should allow us to do politics. It wouldn't make any sense to make an agreement on Political Participation and isolate us from the population. We are a political organization and need to be able to participate in politics without being threatened or killed. They could also be a starting point for implementing the agreements, for example in matters of

“The most important concerns have to do with paramilitarism and the lack of guarantees and security

productive projects, community work and organized in a participative way. But, as I said, there are many ideas, many possibilities and the discussion is not closed yet.

Clearly the paramilitaries are trying to make their voice heard and they do so by killing and threatening people. How do you consider the answer by the government?

The answer by the government, until today, has been half-hearted, it must be said. They want to treat the problem as if it were about "criminal gangs" who kill people not for political reasons but because of "normal" delinquency. Of course, if we look at the figures, this is not true. In Colombia there is a paramilitary counterinsurgency apparatus, that was created by the State and still has nexus with it. More so, it is not just a military structure; they are military units, supported and promoted by political and economic powers. The government doesn't want to make clear commitments on the fight against these powers behind the phenomenon of paramilitarism; the reasons for that are obvious.

You have gone back to Colombia recently to hold a series of peace meetings. How did the guerrillas feel

about what has been reached in Havana?

Different delegations from the Peace Delegation traveled to Colombia to meet guerrilla units and explain them what has been agreed in Havana. Of course there is permanent communication with our units in Colombia about what is going on here, but we considered it very important to be able to talk with them face to face, and listen to their concerns.

Generally speaking, one feels an atmosphere of optimism among the combatants. Of hope, of being able to have access to land, education, health care, housing. Of doing politics. People are very aware of the fact that the FARC will move on as a political movement and they are thinking about how they can contribute to the goal of building an alternative to capitalism, to neoliberalism.

The most important concerns have to do with paramilitarism and the lack of guarantees and security; there is certain mistrust after so many years of war and so many negative experiences with the state and its paramilitaries. People are totally willing now to abandon their weapons, but they know that with paramilitarism, there won't be peace.

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See you in 10,000 dead
Tlaxcala, México, 1992

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Text: Enrique Santiago Photo: Boris Guevara

The surprising result of the plebiscite held last Sunday in Colombia, where the 'No' to the Peace Agreement signed between the Government and the FARC-EP has won by a narrow margin of 56,000 votes out of the 12 and a half million casted, places the concluded Peace Process carried out in Havana since 2012, in a delicate position. The problem that this result has created is eminently political, in no case though represents a serious legal problem.

The Final Agreement for the termination of the conflict and the establishment of a stable and lasting peace,

reached on August 24, 2016 in Havana, maintains its legal validity regardless of the outcome of the plebiscite. This due to several reasons. First, because Article 22 of the Colombian Political Constitution reads: "Peace is a right and a mandatory duty". Second, because of the decision of the Colombian Constitutional Court that ruled last July on the law calling the referendum established that the result of this had no legal effect with respect to the Peace Agreement, although it implied a political obligation for the President of Colombia, who decided unilaterally to convene the referendum without obligation.

And, thirdly, because the Final Agreement already has proper legal force under international law, since it was signed as a legal Special Agreement - legal figure of mandatory implementation under the Geneva Conventions of 1949 - and deposited by the parties before the organism depositary of the Geneva Conventions, therefore giving them legitimacy to their content.

The FARC-EP, although they accepted the plebiscite last June after three years of reasoned discrepancy, have been opposing holding this for several reasons: because the Colombian

Constitution sets the right to peace as a fundamental right, and therefore as a right "against majority", ie, an intrinsic right to human dignity that cannot be subject to consultation, and that if were to be submitted to vote, the outcome would have no legal effect.

It is an inherent inalienable right to the dignity of the person, like the right to life or freedom of any human being, fundamental rights whose content and configuration do not depend on the opinion of third parties, unless it is chosen to violate the Universal Declaration of Human Rights

An important sector of population had mistakenly understood that the effect of the Peace agreement would be harmful for the country

or the International Covenant on Civil and Political Rights, plus the very Colombian Constitution.

Beyond the sadness of anyone contemplating a country missing on the opportunity to end a conflict that began at least 30 years before the existence of the FARC-EP - Land Law 200 of 1936 - undoubtedly the result the plebiscite has a very serious political effect, and therefore Colombia has a political problem to be solved urgently, through purely political means, not legal.

The arguments of the No campaign

There is an important sector of the population that has mistakenly understood that the effect of the Peace Agreement would be seriously harmful for the country, because (to stick to the essential arguments of the No campaign) it would lead to the establishment of a political regime "castro chavista" where individual liberties will be restricted; because it would cause a tax increase; it would establish a society governed by the

interests of "gender", which are associated with "feminist" and "homosexual" behaviours; and because it would mean impunity not for crimes committed during the conflict, but for crimes and breaches of International Humanitarian Law caused by the guerrillas of the FARC EP.

Such arguments, a party from being abusively crude and simplistic, lack any support in view of the 297 pages of the Final Agreement, patiently and carefully elaborated over four years of work, respecting the rights of all victims of the conflict and gathering their concerns and opinions. Far from establishing a "castro chavista" regime, the Final Agreement strengthens the right to private ownership of small and medium farmers, to shield them against practices of dispossession - more than 7 million hectares usurped violently - that they have historically suffered on the side of big land owners and their private armies - paramilitary armies - who only defend the right to private property if the land is for them.

In Colombia, 53% of the exploitable land is in the hands of 2,300 people. Nothing annoys those great owners more than to hear talking about the 10 million hectares that, under the Peace Agreement, will be delivered and securitized to landless and poor peasants. This is because the Peace Agreement sees as unlikely for a significant part of the 7 million hectares denuded during the conflict to be returned to their original owners.

The Peace Agreement also involves the removal of a daily spending on concepts of war of between 7 and 8 million dollars, an amount the State could redirect to social investment, infrastructure, health and education should the institutions consider it, without any need to raise taxes.

The fact that this has been the first peace agreement reached in the world witnessing the existence and engagement of a "gender commission" - that has reviewed all the agreements from the perspective of the rights of women and people of diverse sexual orientation - has supported the surprising argument emerged in the more conservative evangelical churches and not denied by the Catholic church, that the peace agreement would mean the spreading of homosexual affective relations in the country and would allow a "feminist social dictatorship".

The craziest and vested of the arguments of the No to peace camp, is the alleged impunity that the agree-

ments would cause, despite a model of justice being hailed by international institutions and organizations of victims almost unanimously. Only Uribe, the very conservative procurador Ordoñez and the American NGO Human Rights Watch, have maintained a belligerent position against the agreement of the Special Jurisdiction for Peace (JEP), an agreement that aims to prosecute hundreds of thousands of criminal conducts that caused victims and are in absolute impunity.

On the contrary, it is the first time that, in a peace process, whether in Colombia or any other country in the world, and without intervention of the international community, the parties to a negotiating table have agreed a comprehensive system of justice and establishment of truth - another word of no taste to the powerful - before which all participants in the conflict, combatants and non-combatants too - members of political groups, economic groups, agents of foreign governments, and others - will have to appear to account for their responsibilities, if they have them.

Members of political and economic groups that have never worn a uniform or walked on the mud in a trench, but have intervened and/or used the war as a political or economic advantage, from comfortable offices in Bogotá, enjoying structural impunity, are now those who cry out against an alleged "impunity for the guerrillas" that would be allowed by the JEP.



The Attorney General of Colombia has prepared more than 55,000 accusations against the FARC, -responsible, along with other guerrillas, for no more than 15% of the victimization caused by the conflict, according to the Government Victims Unit - plus the thousands of sentences already imposed on guerrillas. However, only 3,000 are the allegations prepared by the prosecution against State agents - responsible for 25% of victimization - and none against organizers, financiers and instigators of paramilitary groups responsible for more than 50% of victimization given during the conflict.

More than 2,000 “certified copies” (charges stemming from a non-competent court to investigate) against financiers and organizers of paramilitary groups, are wandering through different Colombian courts since the approval by the then President Uribe of the Law of Justice and Peace in 2005, without any institution to process. The arguments of the No camp on the alleged impunity that the so-called “Integrated System of Truth, Justice, Reparation and guarantees of Non-repetition” agreed in Havana would cause, do not refer at any time to the differentiated penal treatment contemplated for State agents

“After the unexpected result of the referendum, all sectors involved have spoken in favour of continuing the peace process”

in such a System, treatment that is expected to be used as currency in a hypothetical renegotiation, in order to maintain the usual niches of civil impunity.

Looking to the future

As to the political weight of the result of the plebiscite, the difference of 56,000 votes between the Yes and the No camps, is minimal in a universe of more than 12.5 million actual people voting and the 32 million with the right to vote. Many Colombians have not been able to vote, for lack of prior opening of electoral rolls in a country where much of the rural population lacks documentation, and with more than 4 million Colombians abroad - many of them exiled politicians - the vast majority without census. As if that were not enough, Hurricane Mathew passing by the Colombian Caribbean region on the day of the vote, caused a high abstention in a region where surveys gave a massive

turnout for the Yes camp and where indeed the Yes won, despite the hundreds of thousands of people who were unable to go to the polling stations.

After the unexpected result, all sectors involved have spoken in favour of continuing the peace process: the Government, the FARC and advocates of the No, although the latter can claim to become oracles seeking to interpret what is to be modified in the Peace Agreement so that this would supposedly correspond to the will expressed by those voting No.

And readers will see as the uribista oracle will be interpreting that are the agreements on Special Jurisdiction for Peace, dismantling of paramilitarism and Comprehensive Rural Reform, which should be modified or, better still, “dismantled”. And not so that the guerrillas cannot enjoy a nonexistent impunity in ordinary Co-

“ We will preserve and protect peace, so that we won't have to meet after many more dead

Colombian justice or the Integral System defined in the agreements - the Prosecutor of the International Criminal Court said in its November 2015 report on Colombia, that the guerrillas in Colombia are the only actor in the conflict that has not enjoyed impunity due to the relentless and constant state persecution against them and their alleged collaborators - but to exclude from the jurisdiction of the JEP politicians, businessmen, or in general those civilians organizers, financiers and instigators of many armed paramilitary groups that have existed or exist in Colombia. Their objective is to continue, for ever and ever, enjoying the impunity they are used to and that so much benefits has given them.

On Monday, October 3, as requested

by the advocates of the No camp, President Santos called all political forces to a meeting to address the new situation. All political parties except the Democratic Center led by Uribe, have participated stating their support for the peace process. The only political party that has not gone to that meeting has been the Democratic Center. An absence that could only be due to the lack of will to reach a political agreement to save the peace process, or to the fact that they themselves don't know at this time how to manage the No to peace that they have so irresponsibly caused. The proposals submitted by the now Senator Uribe in the Senate, the day after the plebiscite, to supposedly save the peace process (ceasefire, grant of immediate amnesty and protection to the lives of the leaders of



the FARC) were already included in the Peace Agreement and in the case of the ceasefire in force since August 29, having already begun the process of Decommissioning of Arms by the FARC last September 30.

In the broad call to political dialogue made by the Government should be included, for fairness and consistency, also the organizations of victims, legitimate representatives of those who suffer or have suffered directly from the war, and perhaps for that reason have massively supported the Yes to Peace. Without their presence, to be excluded from the national dialogue would be precisely those in whose name all political parties claim to speak, none of them having ever received this mandate to represent them. The presence of the victims in

the dialogue is essential, because it seems unlikely that the same Colombian "establishment" that in almost a hundred years has not been able to end political violence nor war, can now reach a political agreement to save a peace that was already agreed with the FARC until its political bug-gers - Uribe, Santos and ambition - caused it to blow up.

"See you in 10,000 dead," said an angry and exhausted guerrilla negotiator to a Government negotiator after failing the second of the four peace processes that had taken place between the State and the FARC. This time, all of us, we will preserve and protect peace, so that we won't have to see each other into any more dead. This task certainly is an obligation of the International Community.



COLOMBIA

THE CHALLENGE OF PEACE

INTERVIEWS WITH TIMOLEON JIMENEZ,
VICTORIA SANDINO AND INVAN CEPEDA.

ARTICLES ON THE FINAL AGREEMENT AND
THE OBSTACLES TO PEACE IN COLOMBIA...