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Securing Peace in the Borderlands: A Post-Agreement Strategy for Colombia

Dr Annette Idler



FARC Graffiti



Neglect in borderlands

Policy Brief

The Revolutionary Armed Forces of Colombia - People's Army (FARC), the National Liberation Army (ELN), and other violent non-state groups are deeply entrenched in Colombia's border areas.

If a durable peace is to be achieved following the peace agreement, uncertainty over what happens in these border regions must be addressed.

A comprehensive post-agreement strategy for Colombia requires a particular focus on the country's borderlands where it will need to move:

- **From state neglect to sustainable development;**
- **From insecurity produced by multiple violent non-state groups to citizen security which is focused on people;**
- **From transnational organised crime to lawful economic cross-border opportunities.**

This policy briefing sets out the challenges and actions in these three key areas. The management of risks and uncertainty over civilian security, particularly in border areas in the period immediately following a peace agreement, is critical to long term stability. This briefing is based on a multi-year study of Colombia's border areas carried out between 2010 and 2016.

Peace Talks

On 24 August 2016, after four years of peace negotiations and more than five decades of armed conflict, a historic peace deal has been reached between the Colombian government and the FARC. On 23 June 2016, both parties announced agreement on a bilateral ceasefire. The agreement stipulates that, within 180 days of a final peace deal, the FARC lay down their weapons, cease extortion and other illicit financing activities and stop the recruitment of civilians. This agreement will be subject to approval by the Colombian electorate in a popular vote.

The United Nations (UN) is mandated to collect weapons and monitor the disarmament process, which will take place in specific “normalisation zones” and camps. The normalisation zones include five regions close to the country’s border: La Paz in Cesar, Tibú in Norte de Santander, Tumaco in Nariño, Puerto Asís in Putumayo and Arauquita in Arauca. One of the eight designated camps is also located in a border department: Fonseca in La Guajira. The normalisation zones, to be secured by the Colombian Armed Forces with a kilometre-wide safety ring, can be used by FARC members to prepare for reintegration into civilian life. The zones will cease to exist after 180 days.

On 30 March 2016, the National Liberation Army (ELN), Colombia’s second largest insurgent group, also signed a framework agreement in Caracas to formally launch peace talks. However, as of August 2016, the Colombian government has refused to initiate the talks so long as the ELN continues to engage in kidnappings. In August 2016 for example, the ELN reportedly kidnapped 11 farmers in the Colombian department of Arauca, holding them hostage in Venezuelan Apure.

Regulating Borderlands

Both the Venezuelan and the Ecuadorian border zones that adjoin Colombia are used by the guerrillas, paramilitary, and other right-wing and criminal groups, as sites of retreat and operation. They use illicit economic cross-border activities as an income source. On 11 August 2016 the Venezuelan President Nicolás Maduro and Colombian President Juan Manuel Santos agreed to re-open the Colombia-Venezuela border, after almost 12 months of closure. Pedestrians were then allowed to cross the border in controlled areas between 6am and 9pm Venezuelan time. Bogotá and Caracas announced

that they would issue documentation to people who cross the border, in order to better control who enters and leaves the countries. The Colombia-Ecuador border is open, but its control mostly relies on unilateral measures on each side of the border. In late March 2016, Ecuador and Colombia announced negotiations for a joint military force to strengthen border security following the peace agreement, but concrete plans have yet to be made public. The regulation of borderlands must attend to illicit local economies and border control.

1 From State Neglect to Sustainable Development

Context

Historically, the Colombian state has abandoned the country’s borderlands. In the absence of state institutions and effective state governance, guerrillas, right-wing and criminal groups have for decades dominated vast areas of Colombia’s margins, and have often replaced the state.¹ The FARC and ELN provide basic services such as health care, road infrastructure and conflict resolution mechanisms to solve disputes between neighbours, preventing theft, rape and other crime. They impose rules of behaviour such as dress codes and curfews, as well as those to help communities regulate their daily lives — albeit by undemocratic means.

In many marginalised areas without state control, communities are grateful to have some source of order to regularise everyday life. Without legitimate economic opportunities, local communities depend on coca farming or smuggling. Civilians adapt their lives to the “shadow citizenship” that emerges from governance by violent non-state groups.² This can create close relationships between non-state groups and the local communities.

People make pragmatic decisions to support FARC or ELN. This is often a question of survival, rather than an ideological choice. It is not yet known how these complex relationships are to be unpicked and reformed in the post-agreement period. Consequently there is significant uncertainty.

Challenges in the post-agreement period

1 Farmers will have new grievances if they are excluded from the benefits accorded to FARC ex-combatants for demobilising, or if the implementation of the peace accords (including the transformation of the rural sector) are delayed.

- 2 Having had a close relationship with local community members, some FARC ex-combatants in FARC strongholds will have greater legitimacy than central state representatives. This will make it difficult for the government to strengthen democratic processes at the local level.
- 3 In territories where both FARC and ELN operate, the population is likely to support whichever group previously imposed the rules of behaviour and took care of the community. This support could be transferred to the FARC or ELN's political successors.
- 4 How will civilians respond? In the absence of social control by the FARC, civilians may increase their demands and intensify social mobilisation. On the other hand, in the face of uncertainty and fear and having suffered decades of armed conflict, they may be wary of supporting a new political agenda.
- 5 Unless an agreement is also reached with the ELN, they and other violent non-state actors will seek to fill the governance vacuum left by the FARC. A violent struggle for power would undermine sustainable development.

PUTUMAYO

Ecuadorian farmers in Sucumbíos have regularly been called on by the FARC to attend meetings on the Colombian side of the border at which the FARC have informed them about the current rate of the *vacuna*, the extortion money that they had to pay on the Ecuadorian side, and about what to cultivate at their farms on the Colombian side. As a result, many farmers have been cultivating coca because they lack alternative economic choices. Neither Bogotá nor Quito has taken adequate measures to tackle the extortion. Such cases do not fall entirely under the jurisdiction of either Colombia or Ecuador and the exchange of intelligence and other forms of bi-national border security cooperation are weak and insufficient.

Action for the government and the international community

- 1 Invest quickly in capacity building for marginalised communities. Make state interventions more sustainable and enhance awareness of rights and participatory processes.
- 2 Engage in a dialogue with local communities and take seriously their suggestions of how to consolidate sustainable peace. The need for such dialogue is anticipated in the peace accords, for example, in the local development plans. Such activities need to be implemented strategically, balancing efficacy and the need to prioritise resources with legitimacy, through the use of inclusive mechanisms. Dialogue will help to manage the uncertainty and enhance the credibility of the government.
- 3 Communicate directly with marginalised communities and explain how new policies and programmes are financially and practically feasible.
- 4 Set out a comprehensive strategy for infrastructure investment that incentivises public-private partnerships and invest in development projects in marginalised regions which help transform illicit economies into viable legal economic options.
- 5 Encourage the Colombian population, especially in Bogotá, to show solidarity with those in the marginalised regions of their country.

2 From Insecurity to Citizen Security

Context

In Colombia's borderlands, crime and conflict converge. The combination of Colombia's security policies, which have pushed the armed conflict towards and across the country's margins, and its strategic location in respect of the global cocaine business has created a complex picture in which various violent non-state groups operate. Many FARC strongholds in Colombia's borderlands are also territories in which the ELN operates. Moreover, factions of the Popular Liberation Army (EPL), a third rebel group, are still active in the region of Catatumbo.

Numerous groups involved in the drug trade and other forms of transnational organised crime are present, including right-wing groups that evolved from paramilitary groups demobilised between 2003 and 2006. Some of them have expanded in recent years. Mexican cartels, for example, are known to operate in Colombia's borderlands.

Operating in overlapping territory, several of these violent non-state groups have had to find ways to coexist.

Groups may join forces in strategic alliances, or follow tacit mutual agreements.³ The large number and unstable mix of violent non-state groups in these regions pose serious security threats in the post-agreement period.

Challenges in the post-agreement period

- 1 Civilians living in or near the normalisation zones, or in areas where the FARC were previously operating, may be stigmatised as FARC collaborators. Without the FARC's protection they are extremely vulnerable. Civilians' lives are at risk if they are exposed to violence from other armed actors.
- 2 Civilians risk punishment by groups other than the FARC for participating in processes perceived to be against these groups' interests.
- 3 High levels of international attention and the presence of UN observers in the field are likely to deter violent actions in or near to the normalisation zones. However, once the Mission leaves and the normalisation zones cease to exist, violence may return. Unresolved grievances may fuel acts of retaliation by other armed groups against ex-combatants.
- 4 In the immediate post-FARC period more violence is possible, as armed groups from across the political spectrum fight to take the FARC's place. Life will be extremely unstable for local people until it becomes clear who the new de facto "ruler" is. In many parts of the country, such third parties may be better placed than the state to fill power vacuums left by the FARC and, potentially, by the ELN.
- 5 Ex-FARC members will be vulnerable to recruitment (by force or willingly) by other violent non-state groups. As a result, groups such as the ELN may be strengthened.
- 6 If the public discourse brands all non-state groups as criminal then the existence of political agendas in some places, which impact on the lives of local populations, may be overlooked. Similarly, narrowly characterising every security issue as "criminality" risks stigmatising people caught up in a system which denies them an alternative.
- 7 There is a risk that the armed forces are not yet agile enough to respond to the new demands of the peace agreement. The challenges of re-integration into civilian life that ex-guerrillas face will also be

experienced by some military personnel. It is likely that the government will seek to drive efficiency through structural transformations of its armed forces. This transformation process may lack coordination with other government institutions.

- 8 Local elites who stand to lose power as a result of the peace agreement may incentivise violent non-state actors to destabilise the peace agreement and undermine state interventions.

ARAUCA

Arauca (which includes the normalisation zone of Arauquita) has to prepare for a potential strengthening of the ELN and an upsurge of violence. From 2006 to 2010, the FARC and ELN were at war in Arauca. After brutal fighting during these years they decided to agree a pact of non-aggression. They now share the territory but there is lingering mistrust. The ELN has more political power here, including influence among government authorities in the departmental capital city of Arauca, which includes strategic corridors of the drug trafficking route toward Venezuela. The ELN may take the opportunity to attack ex-FARC members and regain control, or simply expand their area of control by co-opting FARC supporters. Furthermore, ex-FARC members who are unwilling to disarm may opt to join the ELN rather than integrate into civilian life.

Action for the government and the international community

- 1 Identify the dynamics amongst various violent non-state groups, including their vulnerabilities, in order to better anticipate violent outbreaks and protect local communities.
- 2 Acknowledge the political agendas and pragmatic solutions offered by violent non-state groups. This includes the ELN, and also right-wing groups who may use a locally entrenched political agenda to provide economic benefits.
- 3 Map the presence of violent non-state actors and the areas in which they exert social control. The focus should not be exclusively on their use of violence, but must include the use of measures such as taxation, the provision of security and basic services. It should also include an assessment of the degree to which

communities question the rules imposed on them by violent non-state groups.

- 4 Identify brokers who can facilitate deals between various violent non-state groups to provide services and protection to the communities in which they are embedded.
- 5 Address the “balloon effect” whereby violent groups move to new locations where they expect to operate freely. Regions that are currently not affected by violent non-state groups may therefore become places where they regroup after disarmament; places such as Alta Guajira, where state absence and the ease of making money in the illicit economy means illegality can quickly become accepted as the norm.
- 6 Strengthen early warning and early response systems, the judiciary, and the Attorney General’s office in order to prevent violence, protect civilians, address corruption and to be able to effectively prosecute spoilers and criminal organisations.
- 7 Allocate sufficient resources to the reintegration programme in order to minimise the number of ex-combatants engaging in violence and crime.

3 From transnational organised crime to lawful economic cross-border opportunities

Context

Current policy (e.g. the Foreign Ministry’s CONPES ‘Prosperidad para las fronteras de Colombia’) regards borders as a *line* upon which to apply “national security” rather than an area of borderlands in which to promote citizen security.

Comprehensive contingency plans to prevent border crises from leading to more illicit cross-border activities and insecurity are not in place. For example, in August and September of 2015, thousands of Colombians were deported from Venezuela’s border zone. While a contingency plan for border migration crises in Norte de Santander exists, other border regions with Venezuela and Ecuador lack such plans.

Challenges for border policies in the post-agreement period

- 1 The reopening of the border could lead to an influx of Venezuelans entering Colombia. Without contingency plans in place, such movements across the border could have a de-stabilising effect.
- 2 Various violent non-state groups will move to regions with weak state presence and will cross borders. Ex-combatants who reject disarmament may also cross the border. For example, having already purchased properties and moved their families to Venezuela, they can consolidate their power on the non-Colombian side. The situation of instability in Venezuela further facilitates illicit cross-border activities and provides safe havens for violent non-state groups. Some may decide to come back to engage in illicit activities in Colombia and to exert unlawful cross-border authority.
- 3 FARC ex-combatants may reorganise into new groups close to border areas because of the illicit economic opportunities, weak state presence and the impunity that borderlands provide.
- 4 Some ex-combatants will intensify their involvement in drug trafficking across borders and other forms of organised crime, as an alternative way of making a living.
- 5 Laying down weapons may lead to diversion of arms and ammunition trafficking routes. Surplus supply, or weapons hidden from the UN mission may be re-directed at new border crossings, increasing the vulnerability of inhabitants in border areas who are engaged in legal cross-border commerce.
- 6 There will be a reshuffling of the participants in the various illicit routes, and power struggles over roles in the drug trade, gasoline smuggling, human trafficking, sexual exploitation and other forms of organised crime. This will be particularly notable in border areas.

Actions for the government and the international community

- 1 Complement a national security focus on borders as territorial demarcations to be defended, with a comprehensive view of security that takes account of the needs of transnational borderlands – the spaces that need to be regulated adequately in order to thwart the illicit cross-border activities of violent non-state groups.

- 2 By assessing the economic, cultural and political influences on each side of the border, work towards a complementary approach to services and governance functions across the Colombian and non-Colombian sides.
- 3 Promote legal opportunities across borders to foster credibility and popular trust in the Colombian government.
- 4 Address contraband and other illicit cross-border activities by considering them within the broader context - the lack of legitimate economic opportunities for the borderland communities.
- 5 Draw the attention of law enforcement to apparently quiet border crossings, which are in fact of strategic importance for the illicit trade.
- 6 Encourage NGOs, the church, academia and commercial groups across Colombia's borders to help boost sustainable economic cross-border opportunities.
- 7 Prepare contingency plans at the local and national level to prevent ad hoc and inadequate responses to future crises. This includes planning for situations such as the recent water shortages and malnutrition in La Guajira.
- 8 Increase bilateral cooperation with Ecuador and Venezuela through joint police and/or military borderland task forces.
- 9 Collaborate with UN offices, local authorities and NGOs on the non-Colombian side of borders to map illicit cross-border influence and the authority of violent non-state actors.
- 10 Promote local agreements to formalise cross-border access to school and health services, so as to create synergies rather than competition across the border.
- 11 Provide radio, TV and internet in borderlands where people currently only receive information from non-Colombian channels, in order to increase a sense of belonging to the Colombian state.
- 12 Strengthen civilian and military state presence in zones of strategic importance for the illicit drug trade, including in Tumaco, Cúcuta, San Miguel and Maicao.

LA GUAJIRA

FARC and ELN currently control vast territories in the Colombian region of Bajo Guajira in which they levy taxes on the local population and decide on rules of coexistence. In return, local communities are allowed to live without any major security issues – as long as they follow the rules. However, there are many reports of violent incidents perpetrated by the rebels and other violent non-state groups in the Venezuelan border zone, which mostly go unnoticed by the international community.

Securing Popular Approval for Positive Change

The actions listed above must be based on the support of the Colombian people. Therefore, a “yes” result in the popular vote is key to taking forward the post agreement peace.

People in marginalised rural regions are hesitant about voting for peace because of the uncertainty they face. Without knowing what peace will bring, and whether the situation may deteriorate, it may be considered preferable to maintain the status quo.

The government will need to reassure those populations that voting for peace will produce positive change. This can be done by:

- 1 Engaging in a dialogue with rural populations. This should go beyond the issuing of messages from Bogotá, and should include indigenous languages, to show real commitment to those territories.
- 2 Demonstrating that, as citizens of the Colombian state, their voices and concerns are as valuable as those of populations in the bigger cities.
- 3 Providing concrete examples of how life will change for the better - not only in the short-term but also in the long run.

This briefing draws on a long-term study of Colombia's border areas carried out between 2010 and 2016 including more than a year of fieldwork in and around the Colombian-Venezuelan and Colombian-Ecuadorian borderlands between 2011 and 2013, as well as several extended follow-up trips.

It is based on data gathered through more than 500 interviews with local stakeholders including ex-combatants, displaced people, farmers, indigenous and Afro-Colombian leaders, civil society representatives, clerics, military and police officers, staff members of international organisations, non-governmental organisations and academics.

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For further information, contact Dr Annette Idler:

annette.idler@politics.ox.ac.uk

Dr Annette Idler is Director of Studies at the Changing Character of War Programme, Pembroke College, and Research Associate at the Department of Politics and International Relations, University of Oxford. She is also Research Associate at the Centre on Conflict, Development and Peacebuilding, Graduate Institute Geneva. Her work focuses on the links between conflict, transnational organised crime and security, and the role that violent non-state groups play in these dynamics.

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