

THE PEACE PROCESS IN COLOMBIA

Statement by Eamon Gilmore, EU Special Representative to the Oireachtas Joint Committee on Foreign Affairs, April 4, 2019.

A Chathaoirligh, A Theachtaí agus Seanadoiri:

Go raibh maith agaibh, as an cuireadh bheith libh ar maidin, chun cur síos gearr a dhéanamh ar mo chuid oibre ar son an Aontas Eorpaigh, i dtaobh an proiseas síochana sa Chólaim. Tá mé sásta bhuir gceisteanna a thógáil tar éis mo raiteas.

In October 2015, I was appointed by the High Representative, Vice President Federica Mogherini, as the EU Special Envoy for the Peace Process in Colombia. My role was to accompany the concluding stages of the Peace Negotiations between the Government of Colombia, and FARC which were taking place in Havana, Cuba, and thereafter, to accompany the implementation of the Peace Agreement, on behalf of the European Union.

As the Committee is aware, a Peace Agreement was concluded in August 2016, to end the 52-year long FARC conflict, in which almost a quarter of a million people had been killed, 40,000 were still missing and 6 million people had been displaced from their homes. The Agreement was defeated in a National Plebiscite on October 2, 2016 (49.8% Yes; 50.2% No), was then renegotiated, and approved by the country's parliament in December 2016, and all of this was subsequently upheld by the Constitutional Court. Implementation of the Agreement commenced on January 1, 2017.

The Agreement, which took four years to negotiate, is very comprehensive, over 300 pages, and divided into 6 chapters which correspond to the 6 point agenda of the Peace Talks.

Chapter 6 concerns Implementation, and sets out the joint GOC-FARC bodies which were to be established, and details the accompanying roles which were allocated to the international community. (The EU was asked to assist with rural development; the reincorporation of former combatants and support for a Special Investigations Unit in the Prosecutors' Office). Chapter 6 is being substantially implemented, and significantly, President Duque, following his

inauguration last August, has appointed the relevant ministers to the implementation bodies.

Chapter 3 deals with “the end of the conflict”, including the “laying down of arms” by FARC and the “re-incorporation” of their members. A tripartite mechanism headed by the UN and including the Colombian Defence Forces and FARC oversaw the disarmament process which was completed by mid-July 2017. FARC reconstituted themselves as a political party in September 2017, and contested their first elections in 2018. The process of Re-incorporation of former combatants is continuing, although progress has been slow.

Chapter 2 addressed Political Participation. FARC were allocated 5 seats in both the Senate and the Congress, for two electoral terms. Two of the FARC Senators were unable however to take their seats, but the other representatives are now playing an active role in both Houses. A provision to provide additional seats (16) for areas of the country which had been badly affected by the conflict could not however be implemented, because it marginally failed to secure the required parliamentary majority for its legislation.

Chapter 5 concerns Victims and provides for a system of reparation, and for the Transitional Justice system which is aimed at Truth, Reconciliation and Accountability. The Transitional Justice institutions (Truth Commission; Missing Persons Unit; Special Jurisdiction for Peace – JEP and the Victims Unit) have been established and are functioning. The JEP has begun hearings relating to kidnappings by FARC and large numbers of former state actors have also submitted to it. But the JEP itself has been subject to political criticism and the international community, including the EU, has expressed strong support for its work and for its independence.

Chapter 4 deals with the illegal drugs trade. At the centre of the agreement is a commitment to voluntary crop substitution. So far approx. 70,000 Coca growers have signed up for the substitution programme, but implementation has been slow for several reasons, including intimidation and attacks on social/local leaders who are promoting the programme. Meanwhile, the size of the coca crop has grown. Some estimates suggest that it is now three times as big as it was at the beginning of the decade.

Chapter 1 is on integrated rural development. This chapter has a 15 year time horizon for implementation. The previous Santos Government had commenced a process of local development planning, based on wide local consultation (PDETs). It is hoped that the new Duque government will take

this process forward in the new National Development Plan. The main purpose of the EU Trust Fund for Colombia is to support rural development, which will require significant resources and land reform. As part of the EU's commitment to support the provision of infrastructure in marginalised areas of the country, the EIB has indicated its willingness to make up to €400m available in loan financing.

As we know from our own experience on this island, the implementation of a Peace Agreement can be even more difficult than its negotiation in the first place. The Colombian Peace Process has faced several setbacks and continues to face challenges at many levels. But it is succeeding and it is being implemented. There had been fears that the election of President Ivan Duque (the candidate of former President Uribe's Centro Democrático, which had led the opposition to the Peace Agreement in the Plebiscite), would put the process at risk. But President Duque has committed to implementing the Agreement (albeit with some announced changes). Since his election, I have met with him on several occasions and both I and the EU Delegation in Bogotá have a good working relationship with his government.

The main challenges to the Peace Process now are:

- (a) No peace agreement has yet been made with the ELN. Former President Santos had commenced peace talks with them in Quito (later Havana). The ELN declared a ceasefire in September 2017, to coincide with the visit of the Pope but they did not continue it after January 9, 2018. The ELN talks were somewhat on hold through the elections in 2018 and the early months of the Duque presidency, but they have now been ended following a large ELN bomb at a Police Academy in Bogotá in January this year, which killed 60.
- (b) Although the FARC conflict is over, violence continues in the territories. Since the beginning of 2017 more than 300 social leaders and human rights defenders have been killed by armed gangs, many of those associated with the drugs trade and the illegal economies.
- (c) The deteriorating situation in Venezuela presents a further risk to peace in Colombia. So far, 1.5 million Venezuelans have moved across the border into Colombia. Colombia has a 2000km border with Venezuela, and is therefore very exposed to the humanitarian crisis in that country and to any instability which might arise from Venezuela.

To all of this must be added the pressures of inequality, social and regional, possible tensions from eradication of the coca crop, and a more polarised

political environment which can lead to possible social unrest. The necessity, therefore to consolidate and build on the progress made in the peace process is even greater.

The UN Security Council receives a report every three months from its Mission in Colombia. The international community is united in support for the Colombian Peace Process. The European Union has increased its financial commitment and repeated its political support. The Irish Government has been a strong and consistent supporter of the Peace Process, and that support has been given added impetus recently through the opening for the first time of an Irish embassy in Bogota, under the leadership of Ambassador Alison Milton (and of course, Colombia has opened an embassy in Dublin under Ambassador Patricia Cortes). I would like to take this opportunity to thank the Tanaiste and the Department of Foreign Affairs and Trade for their continued support, including the secondment of an Irish diplomat to the EU Delegation in Bogota, to work with me, and also for being among the very first EU Member States to join the Trust Fund.

For my part, I have recently been appointed EU Special Representative for Human Rights. But mindful of the need to maintain continued support for the CPP, especially at this time the HRVP Federica Mogherini has asked me to also continue my work on the Colombian Peace Process until she can replace me in that role. I am therefore travelling to Bogota again next week, to co-chair the Human Rights Dialogue between the EU and Colombia, and to update on the EU's continuing support.

It is a complex process and this short presentation can scarcely capture all aspects and detail. I look forward therefore to responding to the questions of Members.