

Prospects for Peace and drugs control in Colombia and their impact on the Latin-American region

Draft paper

Erika M. Rodríguez Pinzón

Abstract

Due the Colombia is one of the most important countries is a country decision-making in the fight against drugs, or by the number of tons of cocaine to produce, either because it is in where they have implemented some of the most important strategies for combating the production of illicit drugs. In turn, the country has come to be considered a producer of security threats to a role, though, the general exhaustion of drug policy.

On the other hand, the issue of illicit crops is one of the crucial points of the negotiation with the guerrillas and the way in which this finds cause in negotiations and a possible post-conflict will determine the entire Andean region.

Thus, this paper aims to analyze the role of illicit crops in the negotiating table and to a guerrilla demobilization perspective, analyze the proposals on the table, the possible implications and the international impact of the same.

A new chance for peace

The Colombian government and the guerrillas are sitting for the third time at the negotiating table. The negotiation brings great expectations, but in order to achieve the peace there are, still, many political and economic challenges beyond guerrilla demobilization.

If something has characterized the armed conflict in Colombia, and the violence in the country is its complex structure. Since become a republic Colombia, has a long history of democracy, a long tradition of respect to regional peers, and a well consolidated electoral system (despite very important fails). Even more is one of the few nations that have has less dictators in the history of Latin America. By the other hand, economic growth, it has been slow but steady, and the country did not suffer to the same extent the economic decrease in the eighties. Although has faced financial crises, has never gone bankrupt or failed to meet their debt obligations.

But within its borders Colombia also hosts the two oldest guerrillas of the world, and faces the threat of criminal gangs or neoparamilitares and a long history of political and criminal violence. During the last twenty years has been known as the country most affected by drug trafficking, remaining, even nowadays as the producer of 95 percent of the cocaine entering the U.S. market. Additionally and linked with that situation, Colombia is one of the most unequal countries in the world.

Regarding the complex situation, peace in Colombia has more edges than demobilization of the guerrillas. This does not mean that this is not an absolutely indispensable step in the way for peace, but it's not enough. Thus the country and the international community are so keenly observing the process. This is the third attempt of negotiation between government and FARC. The first was in 1982 and was marked by the extermination of the political sector closer to the FARC, the Patriotic Union. That extermination left more than two thousand victims, within them two presidential candidates. That tragic precedent makes that negotiating with the guerrillas is checked by distrust.

The second attempt was trading in the Caguan between 1998 and 2003. Former President Andres Pastrana started a negotiation without a clear agenda. The process was internationalized, and included tours through Europe of the guerrilla and government representatives. The Caguan zone became a sort of pilgrimage for a disparate group of supplicants (from U.S. senators and all kinds of civil society groups, to multinationals and entrepreneurs). Three years later the process was broken, and the president asked the world to close all kind of contact with guerrillas now named terrorist (not without reason). This fact certainly not left baffled few countries facilitators of the process, but responding to a profound change in the way forward FARC would be fought.

After the last period of dialogues, the guerrilla has been severely attacked, and has been undermined both by combat casualties as catches and demobilization. Former President Alvaro Uribe government (2002-2010) did not relent in its efforts to put down the guerrilla force. He's efforts were supported with the important amount of resources provided by the Plan Colombia. The initiative, initially dedicated exclusively to combat drug trafficking, was soon modified to allow the use of its resources in order to fight subversion. Certainly the impact of the violence strongly declined over much of the country, especially the urban areas. The success was marred by a lot of acts of human rights violation committed by official security officers and by the collusion between politicians and paramilitarism, which was much more than anecdotal.

The situation turned dramatically with the election of the new President, Juan Manuel Santos. He chose for pragmatism to manage international relations, reopening the border with Venezuela. Besides reviving of bilateral trade, He allows a good relationship with the neighbor government of Caracas, building an international good environment for dialogs.

Santo's new foreign policy encouraged the start of Peace Dialogues currently developing. In that sense, it is clear that Juan Manuel Santos, had prepared a strategy that has been developed mathematically, which included to establish a well marked distance from his predecessor, as well as building discursive bridges with guerrillas, and creating a legal framework for peace process.

President Santo's strategy is probably prior to its arrival at government, and is an attempt for being remembered as the president who made the peace with the guerrillas. This is a goal that apparently stroked all Colombian presidents, since late nineties, evidently varying in the methods to achieve it. (Rodríguez-Pinzón, 2013A)

In sum, we have a process that attempts to keep distance with those that previously failed. On one hand, you know you need to provide guarantees to the guerrilla, but at the same time can't compromise the strategically strength position gained in the confrontation. That's the reason why there hasn't been a ceasefire (except FARC unilateral truce last December). On the other hand, Government has created a legal framework that avoids confronting later with a declaration of unconstitutionality of any possible agreements reached with the guerrilla. A negative sentence by the Constitutional Court could defeat the process. By the other side control of communications and massive media influence on dialogues is used by the government to avoid external voices on the negotiation table, opening the dialogue for too many players and making it endless and unmanageable. That objective does not absolve the absence of citizen participation in the process, absence that may, in fact, compromise the outcomes.

For the actual peace process, Guerrillas are less prepared than they was during the former process. This is the result of the poor popular support that they has reached because its excesses against the population and the deceit feeling produced by its unfair use of the dialogue zone provided by the government during the last process. As Herbolzheimer(2012) notes, internal wars asymmetry in human and financial resources is reproduced on peace stages. The guerrilla has important communication deficiencies within its units, and most of the relevant FARC members experienced in negotiating have died. But those weaknesses make contrast with their active capacity for the generation of proposals. In fact, Valencia Villa (2013) points out that FARC have been even more serious and constructive than government in its public statements, although, the author warns, they don't believe this is because their respect of principles, but because they have a high interest in the success of the process *"Everything suggest that changes in the military balance achieved by the Democratic Security, summed to a new reading of the international political situation has persuaded guerrilla commanders that it is time for peace"*. (Valencia Villa, 2013)

Dialogues, seems to have a real chance of getting the demobilization of the guerrillas. Now, we need to calculate the way in which the success of this process will influence the production and trafficking of illegal drugs and its treatment by the government.

Two aspects of the peace process become crucial, First the managing of agricultural issues in the negotiation and secondly the draft of the National Drug Statute that is being discussed now by the Colombia's Congress.

The first because the agrarian structure is an indispensable issue in order to understand the phenomenon of drug trafficking in Colombia. The second, because it will set the principles on which the government will try to handle the whole problem of psychoactive substances and that is expected to be consistent with its emphasis on seeking a change for overall drug policy.

Below it is more detail on the components of this relationship between dialogues for peace, drug trafficking and future expectations.

Drug trafficking and armed conflict

Guerrilla, drug trafficking and Colombia are three words that seem inseparable. Colombia is perhaps one of the best known cases of relationship between crime and political violence. A country that shifts away from being a failed state to be considered an example of best practices. But during this process of change it was built a political narrative that mixed the causes and effects of conflict and drug trafficking become only a threat for national and even, international security. This confusion was much more deeply since guerrillas have penetrated the different areas of the structure of drug trafficking. Although they share some of common causes and despite the political discourse has influenced the construction of a narrative in which the drug (international threat) is the claim for the international community to intervene on the internal conflict (internal threat) is important to understand that the two phenomena have different characteristics and dynamics. Even more the possible finish of one of the two phenomena does not imply the disappearance of the other necessarily.

In fact, within the relationship between drugs trafficking and armed conflict it converge two dynamics. By one hand, the relationships that has been woven between actors in conflict and drug trafficking and on the other hand, the “narcotization” of the Colombian security agenda both nationally and internationally.

The first of these dynamics is geographical and is determined by the weak territorial engagement of the state and the spatial coincidence of non state powers. Second is related to war economy and specifically the way in which all players have feed themselves from narcotics-related resources. Guerrilla and paramilitaries have obtained direct resources from cultivation, processing and trafficking of cocaine. Second, Colombia’s government as part of an international struggle against the production and trafficking of psychoactive substances has achieved extensive external military resources (as well as development cooperation). Thus, all actors have varied their position in the structure of the conflict.

The guerrillas, the land question and drug trafficking

Current Colombian guerrilla groups are from its beginning, and bound during its evolution, essentially rural. During the last forty years of confrontation they have little changed. For two decades, the armed conflict in Colombia, was understood as enrolled within the bipolar confrontation, but, the end of the Cold War didn’t mean an ideological break up, in fact, it neither was an economic breakdown for them. In the course of few years FARC has readapted their ideological profile joining the Bolivarianism, a kind of mixture of revolutionary ideas, nationalism, socialism, anti-imperialism and populism. Meanwhile the ELN group continued under its original “foquista” ideology, but they adapted their economic funds especially through the extortion of oil extraction. This non-traumatic transition it’s explained by the continuity of the original basis of the guerrillas, the Colombian countryside and the inequality.

The guerrillas are born and raised within an agriculture base and this is also their main identity discourse . they were Born during the agrarian struggles within armed colonization fronts in the sixties; Still now, they retain a speech essentially based on class expectations, and are made up mostly of poor young farmers who doesn’t have better prospects, or who have been

recruited by force, many of them being children yet. This last fact is good example of the vulnerability of the Colombia's countryside inhabitants.

So in their agricultural base began the relationship between drug trafficking and guerrillas. That relationship was hypothesized during the mid-eighties, but without deepening in it, because it was impossible to prove a direct involvement of the guerrillas in the drug supply chain. At beginning the link between guerrillas and drug trafficking, was circumstantial and indirect, through taxation on crops, for the monitoring of crops and laboratories or taxes for the use of clandestine airports (RED, D; 2006:39). This territorial control wasn't provided by the success of its military attacks, but, for the absence of state presence in the late colonization areas where guerrillas filled the void exercising social regulation labors. Given the ecological and geographical characteristics of these areas, since the seventies, have been more and more used by drug producers and traffickers, having a great impact on social relationships.

During the nineties involvement of guerrilla in trafficking arises and the term narco-guerrillas becomes popular. These designations reshape the understanding of the entire armed conflict. The guerrillas were introduced in the chain of production and distribution of drugs and get involved in a competition with other armed actors, the drug traffickers.

Among other resources, FARC guerrilla take advantage of resources from cocaine (initially only from crops. Since the last decade with increasing frequency with the drug trafficking), at the same time, they help to regulate production, the definition of the purchase price and the monopoly of the purchase of the entire production. Even more, given their integration into rural bases, they have a greater ability to keep order as they are a state by itself (Mujica, M; THUOMI, F, 1996). In some areas of the country as the Guaviare or Casanare (late settlement areas) drug producers initially coexist with the guerrillas and reach local agreements for the operation of the business. In addition to the provision of resources for the guerrillas, coca crops become the main economic activity in much of the agrarian peripheral. Given the lack of transport infrastructure, it is very difficult for legal products fairly compete with the coca leaf, though as noted by the UN (UNODC 2012 report) farmers dedicated to coca have incomes of less than \$ 2 a day, despite of money coca they remain poor.

As said by Fernando Cubides (2004:156) the FARC have a symbiotic relationship with illegal drugs. Although drug trafficking is an ideological dilemma, that dilemma is slowly dissolved in a reconstruction of the drug as an inherent evil of capitalism that helps its destruction and preserves rural support bases. The relationship with traffickers is standardized, at the same time that strongly condemned consumption of drugs within guerrilla control areas. The agreement between drug traffickers and guerrillas became more and more weakened to the extent that the last find more efficient to create their own armed wings and directly confront the state or co-opt it. Within the framework of antsubversive war and having the support of some large farmers, multinational companies and local politicians, this was the base for the creation of paramilitary groups.

In the early nineties there is a marked rose of violence generated by the increase in resources of all armed actors, the dispute for the corridors of drug traffic, and because the paramilitaries also come to wield control and social regulation on territories conquered to guerrilla.

The paramilitary armed pressure, and the strong military pressure through Plan Colombia during the first five years of the 2000s, produced as a result that guerrillas diminished its presence and change their founding strategies. Both the FARC and the ELN, without leaving the drug that have kept another set of resources that allow them to survive, including livestock ownership, and land and mining. The Nuevo Arcoiris Corporation estimated that only 35% of the resources of the guerrilla come from drug production or traffic. The remaining amount is divided between mining, livestock, kidnapping and even activities within the legal economy.

The agricultural component of the conflict and drug

As stated so far, both drug trafficking and armed conflict have significant agricultural component. For one, because it is a widely marked by the country's geography and its late settlement structure. On the other hand, given their particular impact on rural dwellers, many of them forced to move to escape the violence.

Any initiative in order to solve the conflict between the government and guerrillas, has to take into account the rural component basis. This issues is clearly remarked within the dialogues process and within the attitude of both the government and the guerrilla in the current negotiations and in their understanding of the armed conflict. Thus, at the beginning of his government Juan Manuel Santos said that the way to defeat FARC is appropriating their flags. One of them is land reform. Reform that never was implemented in the country, in fact, the dynamics of the recent war produced a reverse process, a strengthened concentration of land. The Santos government also took as it flag the restitution of victims, a process that progresses facing serious difficulties.

Guerrilla meanwhile launched "*ten suggestions*" for an integral agricultural and rural development policy, which largely coincides with many of the promises made by the government and which has not yet been implemented, such as noted by the analyst Juanita León on the blog, La Silla Vacía (2013)

Said by the same analyst, and as it is obvious is an important point for the talks, especially as the FARC, explicitly recognize the "coexistence of different production models", which is in line of business partnerships that have tried to rehearse in zones like Montes de María and San Alberto, Cesar (León, 2013)

Anyway, proposals from government and guerrilla are a not a novelty, because there are well and largely known the problems of Colombian agriculture zone. What stands out is the fact that the FARC have released a document containing grounded proposals. As pointed out by Valencia Villa (2013) the head of the FARC neither mentioned massive expropriation nor state or collective ownership of the land. Their position was agrarian instead of communist. While the Minister of Agriculture and the many official reports agree in denouncing land grabbing, extreme inequality and the underdevelopment of the countryside, and they are calling too for radical reforms.

The real difficulty of this process doesn't lies on the formulation of ideal proposals, but in a real process of land reform, that have been identified as an indispensable policy since colonial

times. The political regime adopted since the nineteenth century was based on preserving at all costs the power structures inherited from the colonial hegemony of landowners and their control over the elections, inequality, poverty and the exclusionary nature of rural society (Bernal 2012)

Thus, the main constraint, even today, is that State should certainly implement the law of Victims and Land Restitution (1448 Act), but also the government has announced its commitment with the respect of the current distribution of land and ownership. That, in other words, means to preserve the source of landowner power, built over four centuries of violent conquest of land and territory. (Bernal 2012). Fulfill to what was stated in the National Development Plan and sign agreements about land issues on the Dialogue table means the recognition the political role played by land, and the farmers and the need for effective change to break the inertial dynamics deepened by paramilitary and guerrilla violence.

The FARC are playing their most important game for their future, because they intent to strengthen their potential in farmer areas, where historically have exercised power by *facto*, in order to shift up to political play. Given the moment, if this turn to political activity becomes real, It will be very interesting to observe what are the electoral decisions of the population in order to prove if their support to the guerrillas was determined by coercion or by the recognition of the order that they led during a long time at the expense of the absence of the state.

Drugs and the peace process

Other major issues in the negotiating process are the perspectives on the fight against drugs. The Colombian countryside has two roles facing the peace process. On the one hand the distribution of land and agrarian development. In the other hand, the substitution of crops dedicated to illicit drug production. Two processes deeply intertwined but with specific requirements for each case.

Agricultural policy underpins a proposing on crop substitution that does not seem outlandish. In its statement at la Havana they pose for the first time a reverse on policy against drugs. The guerrilla aims to explore ways to change illicit crops with "alternative crops", or its legalization for medical, therapeutical or ancestral purposes.

Despite its novelty this proposal that comes from one of the actors most benefitted by drug money, obviously clashes with the general trend of international drug control.

The guidelines for the fight against drugs have being imposed on international fighting patterns imposed by consumer countries on producers. Colombia can't make enough changes on their own to change this situation. Legalization in only one country is very difficult to implement because it's his human and political implications. The *a priori* immeasurable costs, also needs the social support and to ensure enough resources provision to cover them.

At this point, it is necessary to remark one of the weaknesses of the peace process, the lack of transparency and participation of society. It's difficult to allow general participation, without any alter on the balance of a delicate negotiation process. But, it couldn't be make back to the

country. A debate about legalization requires hearing many voices and many proposals and concerns; neither the FARC nor the government has a speech covering all positions.

Another major problem involved in the managing of the drug trafficking issue on the Dialogs is that the FARC are not the only non-state actors involved in drug trafficking. Drug production and traffic neither was created, nor was it entirely developed by Colombian guerrillas. Narcotraffic dynamics are differentiated with conflict dynamics. For that reason both guerrilla output of the supply chain of drugs as such potential collaboration with the government for crop substitution can cause an increase in violent conflict with purely criminal organizations and emerging bands.

Both guerrilla spaces could occasionally vacate the threat that means a political onslaught against drugs is sure to generate reactions between organized crime, such as those already generated by the process of land restitution.

The regulatory framework of the fight against illicit drugs

Peace dialogues are taking place during a period of international movement towards a change in the structure of the fight against drugs. It has been made some steps towards a policy change in this area, but they are slow and timid, and collides with the immobility and inertia established by the internationally conservative vision .

This conservative attitude is particularly evident in the reports that provide information about the global status of illicit drug affairs like the reports of the United Nations Supervisory Board or the reports of the U.S. State Department. The aim of the last one is to supervise whether countries are worthy of financial support because their "good behavior" in the fight against drugs. The criteria for this classification are arbitrary if it is considered , for example, the case of Colombia, where aid has been increased despite the increase in the cultivated hectares. After more than 20 years of funding in 2012 the country still produces 345 metric tons of cocaine, (UNODC).

The idea of promoting a change in current policy that is based only on the restriction of supply is achieving echoing in the Latin American region. The former presidents Cardoso of Brazil, Gaviria of Colombia and Zedillo of Mexico who initially made this call, have passed the baton to the leaders in power, which already is a significant advance on a long request change of the way to confront drug trafficking. Even more, now it is possible to observe some advance on consumption decriminalization, formerly a banned topic.

Nowadays it is an explicit demand that has been placed on the table in relevant forums by the presidents of Mexico, Guatemala, Peru, Bolivia, Argentina, and Colombia, this last a country, particularly active and that tries to consolidate itself as a regional leader in this area, given their experience.

But the biggest news is not the change of Latin American discourse that passed from ask for global responsibility to ask for an open debate on the subject, but because this demand is achieving the interest of northern hemisphere countries. (Rodríguez-Pinzón, E, 2013).

The new National Drug Control Strategy presented by USA government on May 11, 2013 seems to take a step towards treating drugs abuse mainly as a public health problem. The document social impact is very important, but it is even more important the interest of White House officials to maintain an image of openness on the issue. From the speech of President Obama who accepted to open the discussion, to Ambassador in Colombia Michael McKinley, who has argued for numerous media that the U.S. is changing its strategy.

It is very difficult the U.S. could ignore the request that has been made in various forums including the Summit of CELAC or the EU-CELAC. But the change on tone doesn't imply a change on offer repression policies, which is the real hot point of the international debate.

Colombia's role in the region

Colombia passed from being considered a narco state to be an example of good practices. This change in the way the country is considered by the United States was ratified with the signing of the FTA between the two countries.

But from a realistic point of view the results, of what has been the greatest binational operation until today, are mixed. Colombia is the only Latin American country that has significantly reduced violent crime in the past ten years. In that sense, it seems that the formulas created by The Plan Colombia and the Democratic Security Strategy are recipes that could work for other cases, particularly the violence in Mexico, but contexts are very different and the military strategy is hardly replicable.

On the one hand, because founding another program as wide as the Plan Colombia, given the financial crisis is very unlikely. On the other hand, because the particularities of the Colombian case. In Colombia the original dynamics of confrontation between government and narcotic traffickers had been replaced by a confrontation with organized paramilitary groups, and on the other hand because the geographical structure of the problem.

Regarding the results on narcotics production and trafficking experience is the opposite. There isn't a greatly diminishing neither in production nor in traffic. The hectares have been reduced but remains the amount of production, Colombia still produces 95 percent of the cocaine entering the U.S. market. The component more related to the structure of narcotics production has failed. Moreover it is arguably in some ways has deepened the problem if we consider for example the severe effects of glyphosate on the environment and on rural population.

This is the reason why a negotiation with the guerrillas is even more relevant. Because of the possibility of articulate a crop substitution strategy that really works. That strategy must be cost effective and equitable, and avoid that post-conflict process becomes (as has already happened in the history of Colombia) in broth growing of new forms of violence.

So far the manual eradication has been severely affected by guerrilla action while farmers have no incentive to change their activities. The issues and expectations raised in the negotiating table and especially, given the coincidence between the national development agendas and guerrilla's agenda, could produce an effective context to provide a response to the problem of production.

A harder problem could be the consolidation that is deeply linked with the opening of political space for a demobilized FARC. While obviously must be ensured that the perpetrators of crimes against humanity will serve their sentences within the terms of the transitional justice process.

It is needed to ensure that country does not allow another dirty war and the government exerts control on criminal gangs who wants claim for the space freed by guerrillas. The consolidation also demands that the areas where the government entered through military action pass quickly to civilian control. At same time is needed to avoid the generation of new areas of conflict. So far the Consolidation Plan has been unable to lead the transition to civilian control entirety.

Conclusions

Peace negotiations would have several positive aspects also for the latin American region which in turn had neither could replicate the Plan Colombia or other security strategy. Some of them are:

1. Reduce the supply of cocaine base in the market.
1. Create a pilot crop substitution strategy that could be replicated in other countries to prevent that crops decreased in Colombia, incentives the move of crops to other Andean regions.
2. To Reduce the pressure that generates, regionally, the existence of a powerful guerrilla group able to negatively impact on other countries (as has already happened in Venezuela, Ecuador, Paraguay and others)
3. Strengthen regional discourse that claims for changes in counternarcotics strategy demonstrating the feasibility of the non criminalizing measures for coca farmers.
4. Allow the differentiation of coca farmers from traffickers, focusing punitive efforts on the latter. In the fight against illicit drugs of natural origin it's needed to be distinguished growers, dealers and users, and apply different treatments for each one. Peasants and users can not be treated as criminals, an never as terrorists
5. Allow moving of resources addressed to Colombia towards a more and integral care of regional concerns that requires technical and financial support.
6. Promoting the human rights in the region

Finally stress that a real change of Colombia's reality not only concerns to the taken of military control, but, especially, of social policy for the agricultural sector. Even more, controlling crime goes further than combat drug trafficking.