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Responses to Information Requests



Immigration and Refugee Board of Canada / Commission des immigrants et réfugiés du Canada

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website.

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Colombia: Peace process between the government and the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC) (2012-March 2013)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. General Accord Between the Government and FARC

On 4 September 2012, Colombian President Juan Manuel Santos and the Secretariat of FARC announced the signing of the General Accord for the Ending of the Armed Conflict (*Acuerdo General para la Terminación del Conflicto*) (FARC 4 Sept. 2012; Colombia 4 Sept. 2012). The President of Colombia also said that, after one year and a half of [translation] "preparatory work," exploratory meetings were held in Havana, Cuba, over a period of six months, during which the parties agreed on the "purpose, agenda, and rules for a [peace] process that must be serious, decent, realistic and effective" (ibid.). The Accord indicates that these exploratory meetings took place between 23 February and 26 August 2012, ended with the signing of the Accord on 26 August 2012, and had the governments of Cuba and Norway as guarantors, and the government of Venezuela as the logistics provider and companion (Colombia, FARC, Cuba, and Norway 26 Aug. 2012, 1).

The President explained that the Accord established a three-phase process, the first of which was exploratory, which was completed with the signing of the Accord, working sessions, and then the implementation of all that was agreed upon, with verification mechanisms (Colombia 4 Sept. 2012). The Accord states that the parties agreed to:

- initiate "direct and uninterrupted" peace talks [translation] on the points laid out in the agenda below;
- establish a negotiation table in Oslo, Norway, in October 2012, the headquarters of which would be in Havana, Cuba. Negotiations can be held in other countries;
- work on the agenda in an [translation] "expedited manner and in the least time possible";
- hold peace talks, with the governments of Cuba and Norway as guarantors, and the governments of Venezuela and Chile as companions. Other entities could be invited to the talks (Colombia, FARC, Cuba, and Norway 26 Aug. 2012, 1, 2).

The agenda that was agreed on contains the following discussion points:

1. Policy for agricultural development, including access to and use of land; infrastructure and land development; social development on health, education, housing, and poverty eradication; and incentives to agriculture and cooperative economies.
2. Political participation, including the right and guarantees for political opposition and access to media; and effective measures for the equal and safe participation in politics of all sectors of society, including vulnerable people.
3. End of the conflict, including a final ceasefire; the laying down of weapons by FARC and its re-incorporation into civil society in accordance with its interests; the revision by the Colombian government of the judicial situation of FARC members or supporters currently being processed, sentenced or in prison; a joint effort to combat and dismantle criminal organizations responsible for massacres, homicides, or that act against human rights defenders, social movements or political organizations; and [translation] "safety guarantees."
4. Solution to the problem of illicit drugs, including programs of substitution for illicit harvests; consumption-prevention programs; and a solution to drug production and trafficking.
5. Compensation for the victims of the conflict, which is a central point of the Accord. Issues such as the human rights of the victims and the truth will be addressed.

6. Implementation, verification and endorsement. These steps include the signing of the final accord, the implementation of the agreed points above, and also the creation of verification commissions, mechanisms for the resolution of differences, and implementation systems (ibid., 2-4).

The Accord also provides in its rules of procedure that the negotiation table will issue periodical communications, negotiations will not be made public, and talks will be held under the principle that [translation] "nothing is agreed until everything is agreed" (ibid., 4, 5).

On 18 October 2012, in Oslo, Norway, the Colombian government and the FARC issued a joint statement announcing that the negotiation table had been established and that discussions on the first point of the agenda would start on 15 November 2012 in Havana, Cuba (Colombia 18 Oct. 2012; FARC 18 Oct. 2012).

2. Negotiators

Sources report that the negotiating team representing the Colombian government is made up of the following, among others: former vice-president of Colombia and chief negotiator, Humberto de la Calle Lombana; Sergio Jaramillo, as peace commissioner; Frank Pearl, who participated in a paramilitary disarmament process; Luis Carlos Villegas, president of the National Association of Manufacturers; retired general and former director of the National Police, Óscar Naranjo; retired general and former chief of the army, Jorge Enrique Mora Rangel (*El País* n.d.; RCN Radio 5 Sept. 2012).

Sources indicate the following negotiators, among others, for FARC:

- Luciano Marín, a.k.a. Iván Márquez, member of the Secretariat;
- Ricardo Téllez, a.k.a. Rodrigo Granda, considered the [translation] "chancellor" of FARC;
- Jesús Emilio Carvajalino, a.k.a. Andrés París, member of the international front of FARC;
- Luis Alberto Albán, a.k.a. Marcos [or Marco León] Calarcá, member of the international commission of FARC;
- Ricardo Palmera, a.k.a. Simón Trinidad, a former member of the Secretariat serving a 60-year prison term in the US (Reuters 18 Oct. 2012; *El País* n.d.);
- Bertulfo Álvarez, a.k.a. Jesús Santrich, member of the Central Staff of FARC (Estado Mayor Central) (ibid.);
- and Tanja Nijmeijer, a.k.a. Alexandra or Eileen (Univisión 17 Oct. 2012), a Dutch citizen who fought with FARC for over a decade (BBC 30 Jan. 2013).

The Attorney General's Office suspended the warrants against the FARC members who were to participate in peace negotiations with the government (Colombia 22 Oct. 2012). The suspension was to be effective only in Oslo, Norway, and Havana, Cuba, and the warrants would be reactivated should peace negotiations fail or if the FARC negotiators were to be found outside these two cities (ibid.).

3. Incidents of Violence During the Peace Negotiations

The Colombian president announced that negotiations with FARC would be carried out without stopping military operations (Colombia 4 Sept. 2012).

Media sources report that a unilateral ceasefire was declared by FARC, which was to take place between 20 November 2012 and 20 January 2013 (*El País* 19 Nov. 2012; AFP and *El Tiempo* 20 Jan. 2013). *El Tiempo*, a Bogotá-based newspaper, cites a report by the Conflict Analysis Resource Center (Centro de Recursos para el Análisis de Conflictos, CERAC), which noted that, even though FARC actions were down by 70 percent during the ceasefire, they conducted at least 13 attacks in the southwest (*El Tiempo* 28 Dec. 2012). CERAC is a Bogotá-based independent research centre (CERAC n.d.a) founded in 2005 by academics from Colombian, British, Swiss and American universities (ibid. n.d.b). The same report indicates that, from the beginning of the ceasefire until 28 December 2012, the Colombian armed forces carried out 16 military actions against FARC, resulting in 43 guerrillas dead and 7 injured (*El Tiempo* 28 Dec. 2012). Agence France-Presse (AFP) reports that, after the end of the unilateral ceasefire, FARC recommenced its attacks, particularly in the south of the country, including three on oil pipelines, kidnapped two police officers, and killed four soldiers during combat (4 Feb. 2013). *El Espectador*, a Bogotá-based newspaper, reports that 16 soldiers died during an ambush by FARC in a military action in the department of Cauca (19 Mar. 2013). FARC also released two police officers and a soldier who had been kidnapped (AFP 4 Feb. 2013).

4. Progress of Peace Negotiations

On 1 March 2013, the chief negotiator for the government indicated that, after the 6th dialog with the FARC, [translation] "advances [had] been made regarding the recovery of land occupied by illegal entities and access to land by farmers who do not own any or who do not own enough" (Colombia 1 Mar. 2013). Sources report that the chief negotiator for FARC, Iván Márquez, said that same day, [translation] "we have finished this cycle of negotiations with advances" (AFP 1 Mar. 2013; Agencia EFE 1 Mar. 2013) in five areas: "access to and use of land, unproductive lands, regularization of land titles, the agricultural frontier, and protection of reserve zones" (ibid.).

On 3 March 2013, the Government of Colombia announced that a delegation composed of the president of the Senate and members of Congress travelled to Havana to meet with FARC negotiators to discuss victims of the conflict, among other issues (Colombia 3 Mar. 2013). Reportedly, the discussions that the five members of Congress [six, according to the Associated Press (7 Mar. 2013)] held with the FARC negotiating team also concerned political participation for FARC members (*El Tiempo* 3 Mar. 2013; AP 7 Mar. 2013). Sources quote the Prosecutor General as saying that FARC members convicted of crimes against humanity and war crimes would not be able to participate in politics (Colprensa 4 Feb. 2013).

5. Past Negotiations with FARC

Several attempts to negotiate with FARC have taken place in the past (*El Nuevo Herald* 18 Oct. 2012; Univisión 17 Oct. 2012). The first attempt was on 28 March 1984, when Colombian president Belisario Betancur (1982-1986) and FARC signed a bilateral ceasefire in the municipality of La Uribe [department of Meta] (NOTIMEX 30 Sept. 2012; BBC 5 Sept. 2012). The process included the creation of the political party Patriotic Union (Unión Patriótica, UP) so FARC members could demobilize and participate in politics (Verdad Abierta n.d.; BBC 5 Sept. 2012). Peace talks ended after Iván Marino Ospina, one of the chiefs of the guerrilla group M-19, was assassinated in August 1985 (ibid.; AFP 4 Sept. 2012). RCN Radio, a Bogotá-based news radio station, reports that President Virgilio Barco (1986-1990) tried to negotiate with FARC but the systematic [translation] "extermination" of UP members stopped the process (4 Sept. 2012). Sources report that around 3,000 members of the UP were assassinated over a period of five years (BBC 5 Sept. 2012; AFP 4 Sept. 2012).

Another attempt at negotiating started in June 1991 in Caracas, Venezuela, and then moved to Tlaxcala, Mexico, during the presidency of César Gaviria (1990-1994) (BBC 5 Sept. 2012; Caracol Radio 27 Aug. 2012). However, these negotiations failed one year later when a former minister who had been kidnapped by the guerrilla group Popular Liberation Army (Ejército Popular de Liberación, EPL) died in captivity (ibid.; BBC 5 Sept. 2012).

A more recent attempt was made during the presidency of Andrés Pastrana (1998-2002), when the President ordered the demilitarization of an area of 42,000 square kilometres so peace negotiations could be undertaken with FARC (BBC 5 Sept. 2012; Agencia EFE 18 Oct. 2012). Negotiations started on 7 January 1999 (ibid.; *El Tiempo* 17 Feb. 2012) but were ended by the Colombian government on 20 February 2002, after FARC hijacked an airplane and kidnapped a senator (ibid.; BBC 5 Sept. 2012).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: Attempts to contact representatives of the following organizations were unsuccessful: Corporación Nuevo Arco Iris, Instituto de Estudios para el Desarrollo y la Paz, Northwestern University.

A researcher at the Universidad de Los Andes and the Centro de Recursos para el Análisis de Conflictos could not provide information within the time constraints of this Response.

Internet sites, including: Amnesty International; Colombia – Defensoría del Pueblo, Ministerio del Interior, Policía Nacional de Colombia, Procuraduría General de la Nación; *El Colombiano*; Cuba; ecoi.net; Factiva; Freedom House; InSight Crime; International Crisis Group; International Federation for Human Rights; International Institute for Counter-Terrorism; *Jane's Terrorism and Security Monitor*; *El Mundo*; Norway – Ministry of Foreign Affairs; Organization of American States; *Semana*; UN – Reliefweb; US – Department of State; *El Universal*; *Wall Street Journal*; Washington Office on Latin America.

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