

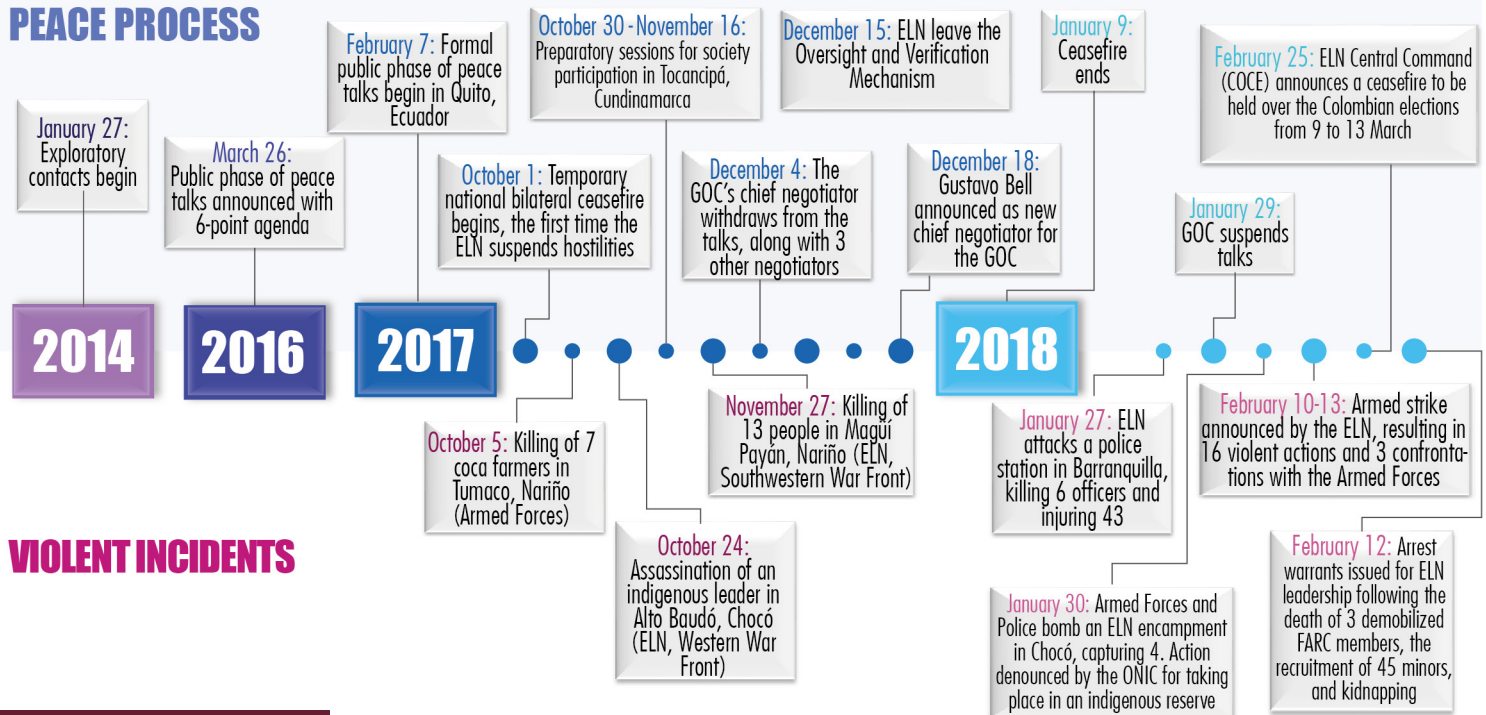
ELN PEACE PROCESS ON ROCKY GROUND

The Government of Colombia (GOC) and the National Liberation Army (ELN) have been in formal peace talks since March 2016, a process which culminated in the declaration of a temporary bilateral ceasefire between 1 October 2017 and 9 January 2018, a development which raised hopes for the achievement of a “Complete Peace” in the country. However, violence escalated after the end of the ceasefire, and the future of the talks has become increasingly precarious since they were suspended by President Juan Manuel Santos at the end of January. The GOC insists on the cessation of hostilities as a precondition to resuming

talks, while the ELN contends that the talks would be the forum in which the new ceasefire should be negotiated. Meanwhile, the humanitarian toll of the conflict has again fallen on the communities caught in the cross fire.

This Spotlight analyses the peace talks and national context to date; and discusses the challenges to the resumption and success of the GOC-ELN peace process, with the aim of contributing to the discussion and lessons learned through the process.

PEACE PROCESS



VIOLENT INCIDENTS

CURRENT SITUATION

The public talks between the GOC and the ELN began in the honeymoon period following the successful culmination of the negotiations between the GOC and the Revolutionary Armed Forces of Colombia (FARC) in November 2016. Over the first four rounds of talks in Quito, partial agreements were reached on the issues of society participation in peacebuilding and humanitarian actions; and a temporary bilateral ceasefire was agreed upon, implemented, and largely respected between 1 October 2017 and 9 January 2018. There was a general trend towards a de-escalation in violence over 2017 (28.8% fewer offensives and 42.8% fewer combats as compared to 2016¹), which improved the humanitarian situation of communities affected by the conflict.

Ten preparative sessions with the participation of diverse social sectors were organized between 30 October and 16 November 2017, during which proposals were made for a methodology to organize and guarantee that civil society will participate in peacebuilding, an issue which forms the basis for the negotiation of points 2 and 3 of the agenda (democracy and transformation for peace²). However, the agenda is far from bearing results beyond the merely procedural.

Meanwhile, the unclear terms and time constraints on both the negotiations and the ceasefire have contributed to growing mistrust, an increase in verbal and physical violence, and the political undermining of the negotiation process. This situation came to a head when the ELN attacked a police station in Barranquilla on 27 January, and the GOC suspended the talks two days later, calling on the ELN to be more coherent in their dedication to the peace process. The ELN, on the other hand, claims the terms for a continued ceasefire should be discussed during the 5th Round of negotiations in Quito, and defends its actions in the context of continued assassinations of social leaders and the “paramilitary expansion³” into territories and economies previously controlled by the FARC.

There were 52 armed actions attributed to the ELN, and 49 to the armed forces over the first month since the end of the ceasefire⁴, all of which have had a humanitarian impact on the communities in the areas of ELN operation, particularly in Arauca, Norte de Santander, and Chocó. On February 25, the ELN announced that they would implement a further temporary ceasefire during the national elections over 9 to 13 March, and again called on the GOC to resume talks⁵.

¹CFRAC “Durante el diálogo con el ELN, se ha reducido su violencia” October 12, 2017.

²See Spotlight for April 2016 for more information on the Agenda

³Fundación Ideas para la Paz “Continúa la incertidumbre con el ELN” February 16, 2018.

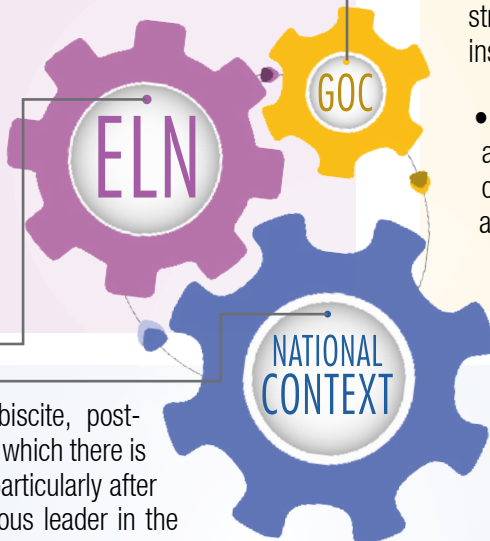
⁴Ibid.

⁵ELN VOCES “Un mensaje de respeto a quienes votan” February 26, 2018.

CHALLENGES

DOES EITHER SIDE HAVE THE LEGITIMACY AND CAPACITY TO RE-ESTABLISH THE PEACE PROCESS?

- The federated nature of the ELN raises doubts about the representativeness of those negotiating, and their ability to fulfil what is eventually agreed. Their most militarily and economically powerful fronts are opposed to the negotiations, and advances made in taking the territories and illegal economies previously controlled by the FARC make this an inconvenient time to negotiate.
- Some members have the option of vetoing the future of the process.
- The difficulty of maintaining internal unity within the ELN has resulted in an increasingly contradictory politico-military method, and has caused Colombian society to raise serious questions about the ELN's motivations.



- Political divisions over the legal framework for, and practical implementation of, the Accord with the FARC, as well as the time constraint posed by national elections, means the talks with the ELN have struggled to find economic, political, and institutional support.

- A total of 36 former FARC members and 105 social leaders were assassinated over 2017⁶, bringing the GOC's capacity and commitment to the peace process with the ELN into question.

- Colombia increasingly in a post-plebiscite, post-Accord, and post-FARC environment in which there is ambivalence towards the Quito talks, particularly after the ELN's assassination of an indigenous leader in the Chocó and a massacre in Nariño⁷.
- Most presidential candidates have rejected the idea of making concessions to demobilized guerrillas in general, and are unlikely to continue negotiations beyond August.
- Support for the ELN from social organizations has also diminished⁸.

- The disarmament of the FARC and the ceasefire with the ELN have brought periods of relative calm, but are also connected with other conflicts which must be resolved simultaneously (struggle for territory and illegal economies in previously FARC-controlled areas).

OUTLOOK

Although both sides have reasserted their commitment to a negotiated end to the conflict, the future of the peace process is now looking increasingly precarious. However, the degradation of the armed conflict into a struggle over illegal economies is not convenient for either party, and both sides are concerned with social participation in peacebuilding, which is key to the first 3 points of the agenda and the basis for building a consensus around any final agreement. Three key issues to be addressed for the talks to resume are:

1. **The humanitarian dynamics related to the conflict between the two sides, and with other illegal armed groups.** The GOC has been called on to be more assertive in investigating human rights abuses and in protecting social leaders and demobilized FARC members. The ELN must also reach an internal consensus to protect civilians in its areas of operation, particularly in Antioquia, Chocó, Cauca, Nariño, and Norte de Santander, where new recruits do not have the experience or political training to exercise authority.

2. **The promotion of active society participation in peacebuilding,** a process which was begun with the preparative audiences in 2017, but which still lacks clarity and a broader representation of civil society (e.g. political parties, the media, unions, and other social and grassroots organizations).
3. **The fulfilment of the Peace Accord signed between the GOC and the FARC** in terms of economic reincorporation and the promotion of productive projects within the Territorial Spaces for Training and Reintegration.

An improvement in these conditions will open the way for the discussion of other issues on the agenda, and will boost the legitimacy of the peace process with Colombian society and the international community.

⁶Razón Pública "Mesa de Quito: Falta de voluntad y capacidad para alcanzar la paz" February 11 2018.

⁷Semana "Seis razones por las que a Gustavo Bell su trabajo con el ELN no le quedará fácil" February 19 2018.

⁸La Silla Académica "Cinco razones por las que se pierde el tiempo con el ELN" February 18 2018.