

PEACE COUNCILS: LEGACY, CHALLENGES AND THE LAST BARRICADE AROUND PEACE

Since the end of the 1990s, Peace Councils at the national and territorial levels have existed in Colombia, but it was the Peace Agreement between the FARC guerrilla group and the Colombian government that gave new impetus to these spaces for participation.¹ This Spotlight examines the legal and political evolution of the Peace Councils and then delves into the meaning or *raison d'être* that resulted in their reemergence in the current context, as well as their different potentialities, projections and challenges in the peacebuilding scenario.

PEACE COUNCILS AS A LEGACY: A HISTORICAL PERSPECTIVE

In the late 1990s, then-President Ernesto Samper (1994-1998) enacted Law 434 of 1998, which created the National Peace Council and the Territorial Peace Councils.² The context was one of intensification of the internal armed conflict; guerrilla takeovers, paramilitary expansion, selective massacres and mass kidnappings marked national life. In response, citizens turned to mobilizing against violence and for peace. In fact, the Peace Councils were seen in this context as a conquest of the people, as "it was not a parliamentary or presidential initiative but of broad sectors of organized civil society".³ Ultimately, it was an effort to materialize the constitutional mandate of peace as a mandatory duty for the head of the State, contained in article 22 of the 1991 Political Charter. The Peace Councils were constituted as a consultative and advisory body to the government at the national and territorial levels on all issues related to peacebuilding. The idea was to bring together, in a single space, civil society representatives, government officials and oversight bodies involved in peace policies.⁴ In this way, this scenario posed the need for peace to be a policy of the State, not of the government, acquiring a vocation for permanence through the participation of all the institutions of the nation. In practice, the National Peace Council and its territorial counterparts

failed to embody its objectives, with low visibility, low turnout, unequal participation of the sectors convened, and lack of coordination between its different levels.⁵ Although there were short periods of time that revived its existence, its convocation was always pushed by civil society, and subsequent governments relegated it to an obligation that they barely sought to fulfill.

However, once the Final Peace Agreement with the FARC was signed during the Santos administration, the possibility of anchoring compliance with the provisions of point 2.2.4 (Guarantees for reconciliation, coexistence, tolerance and non-stigmatization, especially due to political and social action within the framework of civility)⁶ to this old structure was envisaged. Thus, with Decree Law 885 of 2017, the Peace Councils were modified to include a scope and vocation more in keeping with the context of the post-conflict with the FARC-EP, in addition to rooting the initiative in the territory and the population.⁷ As a result, the National Council for Peace, Reconciliation and Coexistence (CNPRC) and the Territorial Councils for Peace, Reconciliation and Coexistence (CTPRCs) were born.

NATIONAL PEACE COUNCILS



¹ Office of the High Commissioner for Peace (July 2018). ABC. National Council for Peace, Reconciliation and Coexistence.
² Congress of Colombia (3 February 1998). Law 434 of 1998. By which the National Peace Council is created, functions are granted and other provisions are issued.
³ Fundación Ideas para la Paz (7 December 2015). Peace Councils and their possible role in post-conflict situations.
⁴ Office of the High Commissioner for Peace (July 2018). ABC. National Council for Peace, Reconciliation and Coexistence.
⁵ Fundación Ideas para la Paz (7 December 2015). Peace Councils and their possible role in post-conflict situations.
⁶ Government of Colombia and FARC-EP (24 November 2016). Final Agreement for the End of Conflict and Peacebuilding stable and durable.
⁷ Ministry of the Interior (26 May 2017). Decree Law 885 of 2017. Through which Law 434 of 1998 is modified and the National Council for Peace, Reconciliation and Coexistence is created.
⁸ The consolidated pre-reform data are taken from the only comprehensive report available for those years. The Peace Councils and their possible role in post-conflict work by the IFJ, which has a cut-off date of December 2015.

TERRITORIAL PEACE COUNCILS

DEPARTMENTAL PEACE COUNCILS

Prior to the 2017 reform, 18 Departmental Peace Councils were created.⁹ However, many were inactive prior to their transformation into CTPRCs. To date, there are councils in every department.¹⁰

MUNICIPAL PEACE COUNCILS

177 Pre-reform Municipal Peace Councils in 21 departments.¹¹ To date they exist in 270 municipalities, although there is no consolidated database.

COUNCILS FOR PEACE, RECONCILIATION AND COEXISTENCE: SANTOS' WAGER

The final push for the Peace Councils came with Presidential Directive 001 of 2018, with which Santos sought to establish the mandate, transversal to the entire hierarchy of the executive branch, to prioritize support for the CNPRC, as well as well as to create and promote CTPRCs.¹² This directive sought to reiterate and prioritize some of the objectives of this body, in addition to providing a series of basic principles for carrying out its actions. Without being exhaustive, its main objective is to create policies and pacts at the territorial and national levels around peace, reconciliation, coexistence and non-stigmatization, of which a plan has already been designed and formulated with the participation of the different levels and sectors in the territories. On the other hand, the Peace Councils should be a space for articulating the different demands, obligations and agreements that arise from and towards the national government or representatives of civil society, finding connections and shortcomings in the actions aimed at building peace.¹³

In this regard, since coming into force, the new Peace Councils have also been linked to: social mobilization against political violence and polarization; the definition and development of the platform for civil society participation in negotiations with the ELN; follow-up to the implementation of the Final Peace Agreement; the promotion of the chair of political culture for reconciliation and coexistence, linked to the pre-existing chair of peace; among others. Within the framework of this new legislation and presidential directive, the CTPRCs give priority to the differential and territorial approach in all actions, not only in terms of the broad representativeness and geographical coverage of the Peace Councils, but also because of their differentiated orientation towards vulnerable or discriminated groups such as women, peoples and ethnic communities, peasants, the LGBTI population, children and adolescents, people with disabilities, and political and religious minorities.¹⁴

NATIONAL COUNCIL FOR PEACE, RECONCILIATION AND COEXISTENCE (CNPRC)¹⁵

The national level body is composed of 105 representatives, 35 from the institutional level (executive, legislative and oversight bodies at all levels) and 70 from civil society (36 different sectors).

The National Peace Committee is the executing body of the functions assigned and delegated by the president, composed of 13 representatives (7 from civil society, 3 state entities and 3 of free choice).

There are three working commissions: Commission on pedagogy, education, communication, art and culture of peace; Commission on Territorial Peace; Commission on oversight and guarantees of non-repetition.

Since their installation on 29 September 2017, the CNPRC has met every three months, in addition to special sessions.

TERRITORIAL COUNCILS FOR PEACE, RECONCILIATION AND COEXISTENCE (CTPRCS)¹⁶

This category includes Departmental and Municipal Peace Councils. Their functioning and composition must be analogous to that of the national body, although they have autonomy to adapt to the particular conditions of each territory.

At the Departmental level they are created by ordinance and at the local level by municipal agreement, at the initiative of the Governor and the Mayor, respectively.

These are spaces where all the committees, roundtables, bodies and mechanisms for participation in issues of peace, reconciliation, coexistence and non-stigmatization at the territorial level should converge.

⁹ Fundación Ideas para la Paz (7 December 2015). Peace Councils and their possible role in post-conflict situations.

¹⁰ Office of the High Commissioner for Peace (July 2018). ABCs. National Council for Peace, Reconciliation and Coexistence.

¹¹ Fundación Ideas para la Paz (7 December 2015). Peace Councils and their possible role in post-conflict situations.

¹² President of the Republic (2 February 2018). Presidential Directive, No. 01.

¹³ Office of the High Commissioner for Peace (July 2018). ABC. National Council for Peace, Reconciliation and Coexistence.

¹⁴ *Ibid.*

¹⁵ Ministry of the Interior (May 26, 2017). Decree Law 885 of 2017. By means of which Law 434 of 1998 is modified and the National Council of Peace, Reconciliation and Coexistence is created.

¹⁶ *Ibid.*

PEACE COUNCILS: THE LAST BARRICADE AROUND PEACE

Between 26-27 July 2018, the First National Meeting of Peace Advisors was held, with the participation of more than 300 advisors from all levels, geographic areas, and sectors of Colombia. This body made it possible to put different perspectives “on the table”, including interpretations of the advisors in relation to the potentialities, challenges and difficulties of this body related to the territorial consolidation of peace in the country. From these considerations, three key concepts of the Peace Councils are highlighted: political participation, territory and population, and cultural violence and new peace narratives.

During the 20th century, a historic crisis of representative democracy, due to bureaucracy, clientelism and corruption hit Colombia, hence the attempt to create spaces of citizen participation. It is hypothesized that if citizens participate, the quality, legitimacy and effectiveness of public policies increase, strengthening democratic institutions.¹⁷ And this is precisely the objective of bodies such as the Peace Councils, the construction of peace from the bottom-up and not as an imposition of the State, which also seeks to regain the confidence of the population in the institutions. In this sense, full participation implies having the power to make decisions, either because citizen proposals are translated into public policies or because implementation is delegated away from the State.

One example is the Development Programs with a Territorial Approach (PDET) and their potential impact on the National Development Plan

(2018-2022), a scenario where the Peace Councils have taken on the challenge of monitoring and promoting institutional coordination, so that the livelihood objectives of the different sectors are reflected in public policies. The purpose of the CNPRC and the CTPRCs is also to create spaces for diversity and representativeness that is hardly witnessed in institutionality. Indeed, for the peace advisors, the idea is not to build peace from scratch, but to increase the capacities of communities that have been resisting violence for decades. The population and the territories have an extensive memory in the construction of peace, which this participatory space seeks to articulate and socialize.

Likewise, the Peace Councils have also been conceived as spaces for building reconciliation, coexistence and non-stigmatization: the reconstruction of the social fabric from the territory. To this extent, they are laboratories of coexistence between the government, former combatants, victims and civil society. Ultimately, the *raison d'être* of these spaces is dialogue and articulation, but also resistance. This last barricade to peace is not only represented by the opposition to the new attacks of violence, but also because new narratives of peace in Colombia are being built and the living forces of the nation are regrouping. After 54 years, it is difficult to imagine a peaceful life, in the everyday and in the tangible. Concrete and persistent exercises, such as the Peace Councils, break the persisting dynamics of war and begin to remove the sediments of a centuries-old culture of violence.

CONCLUSIONS

The Peace Councils are a legacy of citizen achievement aimed at building peace, with many potentialities. They are also an attempt to implement the Agreement from and for the entire country. Moreover, the Peace Councils are a historic opportunity to build peace from below, to construct material and symbolic barricades against the robust and persistent dynamics of violence, both in the territories least affected by the conflict and, above all, in those latitudes where it has been - and still is - an intense reality. These spaces can be assimilated to a barricade; spaces, which are being constructed with all the materials and ideas within the reach of the communities, to prevent the recalcitrant passage of violence.

BIBLIOGRAPHY:

- Congress of Colombia (3 February 1998). Law 434 of 1998. By which the National Peace Council is created, functions are granted and other provisions are issued. Available at: <https://bit.ly/2M74x0l>
- Fundación Ideas para la Paz (7 December 2015). Peace Councils and their possible role in post-conflict situations. Available at: <https://bit.ly/2MauMDh>
- Fundación Ideas para la Paz (June 2018). Development Programs with a Territorial Approach: Changing course to avoid shipwreck. Available at: <https://bit.ly/2plOpU>
- Government of Colombia and FARC-EP (24 November 2016). Final Agreement for the end of the conflict and the construction of a stable

- and lasting peace. Available at: <https://bit.ly/2mXa6W6>
- Ministry of the Interior (26 May 2017). Decree Law 885 of 2017. Through which Law 434 of 1998 is modified and the National Council for Peace, Reconciliation and Coexistence is created. Available at: <https://bit.ly/2siC10c>
- Office of the High Commissioner for Peace (July 2018). ABCs. National Council for Peace, Reconciliation and Coexistence. Available at: <https://bit.ly/2mYw0LI>
- President of the Republic (02 February 2018). Presidential Directive. No. 01. Available at: <https://bit.ly/2M6xmdr>

¹⁷ Fundación Ideas para la Paz (June 2018). Development Programs with a Territorial Approach: Changing course to avoid shipwreck.