

Why is European support for peace and human rights still important in Colombia?

Throughout 2020, we celebrated the fact that in 1995, the European Conference on Human Rights in Colombia was held in the European Parliament in Brussels, which led to the creation of the International Office for Human Rights-Action Colombia (OIDHACO).

At that time, the humanitarian crisis in Colombia was profound, as a result of the armed conflict, and the human rights situation was also extremely serious. In the 1990s, peace processes had been initiated with the Popular Liberation Army (EPL) and the M19 guerrilla groups, and the National Constituent Assembly had been held. Nevertheless, the 90s and 2000s were two extremely violent decades in Colombia, leaving millions of civilian victims. The genocide against the *Unión Patriótica* political party was all too recent, with the assassination of presidential candidate Bernardo Jaramillo. Armed confrontation between the Colombian army and the FARC-EP, for control of the south of the country, placed civilians in the midst of the crossfire. Paramilitary groups, drug traffickers and guerrilla groups were fighting for control of drug trafficking, a legacy of the drug cartels. The creation of the *Convivir* groups offered a fundamental impetus for the strengthening of paramilitarism and under this paramilitary threat the largest expropriation of land in the history of Colombia took place, leaving millions of people displaced and without land¹. Between 1996 and 2006, the majority of the total 730 massacres occurred, that have been committed in Colombia since 1982²: Mapiripán, Pueblo Bello, San José de Apartadó, Barrancabermeja, El Salado and Bojayá are just some of the most infamous, but there are many more. The mass forced displacements, for example in the Bajo Atrato region, as a result of *Operación Génesis* and *Septiembre Negro*, or in the Montes de María area, left millions of small-scale farmers, Afro-descendants, and indigenous peoples homeless and without land. Added to this were kidnappings and hostage-taking by the guerrillas. At the end of the 2000s, the true dimension of the so-called “false positives” phenomenon came to light, in which more than 10,000 civilians were extrajudicially killed by the Colombian Armed Forces, the result of a state policy³.

The State did not fulfil its duty to protect civilians in the different regions of Colombia, despite the enormous number of casualties. In fact, the State⁴ was sentenced by the Inter-American Court as complicit and responsible in several of the crimes committed at this time against the civilian population. However, the governments at the time accused the guerrillas and drug traffickers as the main causes of these casualties, or they presented them as collateral damage during military operations against the guerrillas, within the armed conflict. The State’s response was to increase its military response against these groups with the support of the United States under Plan Colombia.

Despite the horror behind these violent figures and the victimisation of the civilian population, the Colombian conflict was forgotten by the international media and was not a part of the agendas of most of the European states and institutions. There was a common belief that the violence in Colombia was due to a drug war, and an unawareness of factors such as land grabbing, social inequality, lack of access

¹ <https://colombiaplural.com/gran-despojo-tierra-se-dio-los-gobiernos-pastrana-uribe/> on the report of the Centro Nacional de Memoria Histórica. Land and Rural Conflicts.

² <https://rutasdelconflicto.com/masacres>

³ Omar Rojas Bolaños. [Extrajudicial executions in Colombia, 2002-2010](#): Obediencia ciega en campos de batalla ficticios. Universidad Santo Tomás, 2017.

⁴ Sentences of the Inter-American Court on Operation Genesis, Mapiripán, the Palace of Justice, Pueblo Bello, La Rochela, etc.

to political avenues for solving these problems, and other political and social conflicts as the causes of the violence.

With the organisation of the European Conference on Human Rights in Colombia in June 1995 in the European Parliament, with the support of important publications reporting on the responsibility of the Colombian State for human rights violations, and thanks to the work of solidarity networks in different European countries, different analyses began to be disseminated about what was happening in Colombia. As a result of this work, the European Union decided to support Colombia in peace-building and rural development, not through military support, but by addressing through development cooperation the structural causes of the internal armed conflict, for example using the strategy of the Peace Laboratories. Since 2002, the European Union has invested EUR 1.5 trillion on humanitarian aid and peacebuilding in Colombia⁵.

The European Union's commitment to peace in Colombia continues today. The EU and its Member States played an important role during the peace negotiations through their accompaniment and political support. Europe continues to have a Special Envoy for the Colombian Peace Process and through the Trust Fund for Peace in Colombia supports the implementation of the chapter of the Peace Agreement on Rural Development and the reincorporation into society of demobilised combatants from the FARC-EP. Different European member countries and non-EU members also support the peace process and the implementation of the Peace Agreement.

At the same time, trade relations between the European Union and Colombia have become increasingly important, as Colombia is now classified by the European Union, as a middle-income country and a trading partner, rather than a country benefiting from aid or development cooperation. In 2013, the Trade Agreement between the European Union, Colombia and Peru entered into preliminary application. ODHACO and civil society organisations alerted the European Union about the negative impacts of this application and inconsistencies between this trade agreement and the EU's Peace and Human Rights Policies.

Why international support is still needed for Colombia

Over the past 25 years in Colombia important steps have been made towards peace: although the process of demobilisation of the AUC paramilitaries did not meet its proposed objectives, the testimonies of some senior AUC officials revealed patterns of alliances between their structures and the State. The Victims and Land Restitution Law of 2011, recently extended in its implementation until 2031, recognises the existence of an armed conflict and the existence of victims of all actors in the conflict, including the State and also provides for reparations. A negotiated solution to the conflict was entered into with the Revolutionary Armed Forces of Colombia (FARC-EP), now in its implementation and consolidation phase. The political party that emerged from the peace process with the FARC-EP is now participating in the Congress and Colombian society has initiated a process of transitional justice that enables progress in the search for truth, justice, reconciliation and reparation in relation to what happened during the conflict.

Does this imply that Colombia's armed conflict is now in the past and that the international community can focus its efforts on other priorities?

⁵ The Challenges of Cooperation: The European Union's Engagement on Human Rights in Colombia: 2012-2019. UCL. September 2019. <https://www.ucl.ac.uk/americas/news/2019/oct/new-policy-report-colombias-human-rights-and-eu-engagement>

According to the International Committee of the Red Cross (ICRC) there are currently five internal armed conflicts taking place in Colombia. After a period of decline in the violence at the time of the signing of the Peace Agreement in 2016, during the last few years the indicators of violence have once again increased. Peace talks with the National Liberation Army (ELN) have stagnated. The start of 2021 has been particularly violent, with rates of killings of social leaders, former combatants, massacres and clashes between armed groups and the state security forces breaking already tragic records.⁶

To prevent the country from sinking further into conflict and violence, it is fundamental that the 2016 Peace Agreement is rapidly and comprehensively implemented, as it contains numerous measures to address the structural causes of violence.⁷ The international community has demonstrated an understanding of this need and has offered significant support. The implementation process has been slow since the beginning and in the last two years it has got even slower, when implementation only advanced by 6 percent according to the NGO *Instituto Kroc*⁸. There is a delay in all points of the agreement. Although the Land Fund has 1 million hectares of land (out of the target of 3 million), not one hectare has been handed over to small-scale farmers. Forty-one per cent of the FARC-EP's former members who are currently in the process of reintegration, have benefited from financial support for productive projects but only 61 projects have financial support, most within the Territorial Training and Reincorporation Zones (ECTR) where only a minority of former combatants live. There has been a return to the policy of forced eradication and aerial spraying with glyphosate, actions which go against the substitution policy established in the Agreement. Preventive measures in the Agreement, which are essential to prevent attacks on human rights defenders, such as the National Security Commission and the Special Investigation Unit in the Public Prosecutor's Office for the dismantling of neo-paramilitary structures, are working at only half of their capacity and have failed to fulfil their mandate and impact on the paramilitarism that continues to exist in Colombia. Some 252 former members of the FARC-EP have been killed since the signing of the Peace Agreement⁹. The transitional justice process has faced obstacles and proposals from the Government or its party that threaten its proper functioning: lack of budget, threats to judicially investigate people leading the institutions, proposals to limit their jurisdiction. Thanks to international support, guarantees for their operation have been restored. However, the process is not over and needs to be consistently monitored. The European Union has a political framework to support transitional justice processes around the world¹⁰ and is supporting the three mechanisms of the system with cooperation resources.

The Colombian state continues to be directly implicated in human rights violations, as we have seen in the recent episode on illegal military intelligence activities against defenders, opposition members, journalists and trade unionists and in the massacre committed by the police during the protests in September 2020 in Bogota.

The challenges in Colombia continue to be extensive. More than ever, it is crucial that the international community continues to believe in and support a solution to this new spiral of violence. The

⁶ <https://www.elespectador.com/colombia2020/justicia/jep/2021-el-inicio-de-ano-mas-violento-desde-la-firma-del-acuerdo-de-paz-jep/>

⁷ Such as the Comprehensive Rural Reform; point 3.4 on security guarantees with mechanisms such as the National Commission for Security Guarantees and personal and collective protection and security measures; the different social investment programs for the comprehensive arrival of the State to the territories of points 1 and 4 of the Agreement; and guarantees of non-repetition within the framework of the rights to truth, justice and reparation.

⁸ <https://www.france24.com/es/20200625-la-entrevista-acuerdo-de-paz-kroc-farc-gerard-martin-colombia>

⁹ <https://www.elespectador.com/colombia2020/pais/instituto-kroc-2019-fue-el-ano-mas-mortal-para-los-excombatiente-de-las-farc/>

international community has shown in the past that it can play a positive role, for example, supporting Colombian civil society in its efforts to promote peace and human rights. Another example is the role played during peace negotiations in the past, in particular the most recent process with the FARC-EP. It is important that the international community continues to support the pathway to peace, which will help to find a way out of existing conflicts, by promoting dialogue with the National Liberation Army and within the Security Council, supporting a project to dismantle (neo) paramilitary groups by via a commission of experts.

It is important at this time that the international community plays a decisive role, motivating the Colombian State to address the most urgent human rights issues and take responsibility for its past crimes and present human rights violations. It is important to urge the Colombian State to establish a police service independent of the Ministry of Defence to prevent further human rights violations by the state security forces. It is urgent that the international community strongly act on the need to move forward urgently and comprehensively with the implementation of the Peace Agreement. The European Union, as part of the process of defining its cooperation with Colombia for the next few years, must set an example and continue to invest in peace and human rights in the country.

Venezuela's serious crisis and the mass exodus to Colombia need to be urgently addressed, but this must not draw attention away from Colombia's internal situation.

The Colombian State must prioritise the human rights situation, and international support needs to focus on the implementation of the Peace Agreement with the numerous measures it contains to prevent future human rights violations. The road to peace in Colombia is still long, but we must continue walking along it, and pick up the pace.