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# **Peace Talks in Havana and Murder in Colombia: The Santos Regime's Dual Strategy**

**By James Petras**

## **Introduction**

There are many fabrications and false assumptions underlying the Colombia peace negotiations between the Santos regime and FARC - EP (Revolutionary Armed Forces of Colombia - Peoples Army). The first and most egregious is that Colombia is a democracy. The second is that the Santos regime pursues policies which enhance non-violent social and political activity conducive to integrating the armed insurgency into the political system.

There is sufficient evidence to call into question both assumptions. Over the past two decades and a half nearly three thousand trade union leaders and activists have been murdered; over 4.5 million peasants have been dispossessed and displaced by the military and paramilitary forces; and over nine thousand political prisoners are being held indefinitely for engaging in non-violent socio-political activity. In addition scores of human rights lawyers, activists and advocates have been assassinated.

The vast majority of the victims are a result of regime directed military and police repression or paramilitary death squads allied with the military and leading pro-government politicians.

The scale and scope of regime violence against social opposition precludes any notion that Colombia is a democracy: elections conducted under widespread terror and whose perpetrators are allied with the state and act with impunity, have no legitimacy.

The re-election of President Santos and the convocation of peace negotiations with the FARC to end Latin America's longest civil war is certainly a welcome step toward ending the bloodshed and providing the basis for a transition to democracy.

While the Santos regime has put a stop to the massive state terror regime of his predecessor, the US backed Alvaro Uribe regime, political assassinations still occur and the perpetrators continue to act with impunity.

For any peace process to culminate with success, the peace accords, agreed to by both parties, must be effectively implemented. Previous agreements ended in state massacres of demobilized guerrillas turned civil society activists and elected political representatives.

The peace negotiations have proceeded for two years and major accords have been reached on a series of vital areas of mutual concern. In particular both sides have signed off on 3 of 5 points on the peace agenda: rural developments, guerrilla participation in politics, policy on drug trafficking. Current negotiations focus on the contentious "transitional justice" for victims of the conflict. Most human rights groups and experts agree that the vast majority of victims are a result of military and paramilitary repression. However, the Santos regime and its backers in the media claim otherwise - blaming the FARC.

## **Is There a "Peace Process"?**

The Santos regime has thrice rejected cease fire offers by the FARC who have gone ahead and unilaterally implemented them. The regime has chosen to continue the war in Colombia while

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negotiating in Havana. The two year time span of the peace negotiations provides deep insights into the viability of the peace accords signed in Havana. International and Colombian human rights groups and social movements provide timely reports on the scope and depth of ongoing violations of political and human rights in Colombia during the peace negotiations.

Based on data compiled by human rights attorneys and experts affiliated with the Marcha Patriótica (Patriotic March), an alliance of scores of neighborhood, peasant, trade union and human rights organizations, between April 2012 and January 2014, it is clear that the reign of state and paramilitary terror continues parallel to the peace negotiations.

During this 21 month period, twenty-nine Patriotic March (PM) activists were killed and three others were "disappeared" - and presumed murdered. Scores of others have received death threats.

The class background of the victims points to the vulnerability of the peace agreement. Twenty-three of the murdered members of the PM were peasant leaders and activists promoting agrarian reform, the repossession of land under the regime's Land Restitution Law or engaged in other peaceful civil society activity. Four of the victims were active in social movements supporting a "peace with social justice" agenda; two were human rights lawyers; two were community and neighborhood organizers and one was a leader of a local youth movement.

None of the assailants were arrested. Military and police officials, who had previous notice of death threats, took no precautions. Nor were any investigations undertaken, even when family and neighbors were privy to relevant evidence.

In the face of the Santos' government's unwillingness to curtail military, police and death squad complicity in the murder of peasant activists during the peace negotiations, can the regime be trusted to implement the accord on "rural development"? Can the government guarantee the security of disarmed guerrillas as they enter the political system when over one hundred human rights activists received death threats in September 2014?

According to Amnesty International, during 2013, seventy human rights defenders were killed, including indigenous and Afro-Colombian leaders and twenty-seven members of trade unions. At least forty-eight homicides were committed by military units. Military commanders engaged in "false positives", meaning murdered civilians were falsely labelled by the military as "armed insurgents". Extra judicial killings by the military continue under the Santos regime.

Equally ominous, Santos has failed to disband the paramilitary death squads. As a result, the regime fails to protect land claimants. Dispossessed peasants and farmers attempting to resettle their land under Santos' "Land Restitution Law" have been threatened or murdered by paramilitary gangs. As a result the Law has virtually no impact on resettling peasants because of landlord retaliations.

In fact the number of dispossessed has increased according to the United Nations: 55,157, mostly rural, Colombians fled their homes between January and October 2013, because warfare between and among drug and paramilitary gangs.

### **Presidential Santos War on Civil Society**

The pervasive insecurity that rules the countryside, the murders, disappearances and jailing of social activists, accompanying the peace negotiations, call into question the "accords" thus far reached between the FARC and the Santos regime. Supporters of the regime argue that the number of state murders has declined over the past three years. Critics counter that relative fewer assassinations have the

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same effect in generating fear, undermining citizen participation and the transition to a democratic political system.

The entire conception of a successful peace process rests on the assumption that the accords will result in constitutional guarantees of free and democratic citizen participation. Yet throughout the two year period, the regime has not demonstrated a clear and consequential commitment to elementary rights. If that is the case during the negotiations with the popular insurgency, still active and armed, how much worse will conditions become once the military, police and paramilitary are free of any retaliation, when they will have a free hand to intimidate and strike down disarmed political dissidents attempting to compete in local or national elections?

The Santos regime appears to have adopted a two prong strategy: combining violent repression of the social movements in Colombia while adopting the language of peace, justice and reconciliation at the peace table in Havana.

The Santos regime can promise to accept many democratic changes but its practice over the past two years speaks to an authoritarian, lawless regime, content with maintaining the status quo.

The Santos regime has three strategic goals: to disarm the popular insurgency; to regain control over the territory under insurgent control; and to weaken and undermine the popular social movements and human rights groups which are likely to form political alliances with the insurgents when and if they become part of the political system.

It is doubtful that the FARC will surrender their arms in a political climate in which paramilitary killers operate with impunity; military commanders still engage in 'false positives'; and rural development projects are inoperative because of landowners' terror tactics.

Unless the peace accords are accompanied by fundamental changes in the military; unless the paramilitary forces are effectively demobilized; unless the government recognizes the legitimacy of the demands of the mass social movements and human rights group for a freely elected constituent assembly is accepted, the peace process will end in failure.

### **Conclusion: Four Hypothesis on Santos Strategy for War and Peace**

There are several hypotheses regarding why the Santos regime negotiates a peace accord while gross violations of human rights continue on a daily basis.

(1) The Santos regime is divided, with one sector in favor of peace and another opposed. This hypothesis lacks any credible basis as there are no visible signs of internal conflict and the regime acts with a unified command. While some state violence may be a result of local military commanders, at no point have national leaders reprimanded the "local" transgressors.

(2) The Santos regime actively pursues violent acts against the social movements to strengthen its bargaining position in the peace negotiations to secure a more favorable settlement - in other words to make the minimum of social concessions in order to placate oligarchs critical of any negotiations. This hypothesis explains the 'dual strategy' approach advocated by the regime with regard to the FARC, talking peace in Havana and rejecting a cease fire in Colombia; continuing the war while negotiating peace. But it also undermines the regime's claim that Santos seeks to incorporate combatant groups into the political system.

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(3) The regime is in a tacit pact with former death squad - President Alvaro Uribe. As a result the government's military apparatus is still tied to paramilitary gangs, working with landowners, drug traffickers and businesspeople. There is no doubt that Santos has long-standing ties to Uribe - he was his Defense Minister. Moreover, after Santos defeated Uribe's candidate for the Presidency by a narrow margin he has sought a political accommodation with Uribe's Congressional and business supporters. On the other hand Santos recognizes that his economic strategy, especially his focus on promoting trade with Latin America and especially Venezuela, and his big push to exploit the energy and mining sector depends on reaching a peace agreement with the FARC, which controls substantial mineral rich regions. Hence Santos signs 'paper agreements' with the FARC, while applying a 'hard fist' ('mano duro') policy to the social movements.

(4) The upsurge of the mass social movements, including the Marcha Patriótica, demanding the effective implementation of the 'rural development' reforms and repossession of land to 3.5 million displaced families and the increasing role of the human rights groups in monitoring the ongoing violations of human rights, means that the Santos regime cannot secure 'peace' solely through an agreement with the FARC in Havana. If the Santos regime's goal in the peace negotiations is to disarm the guerrillas and incorporate them into the electoral system, without dealing with the root socio-economic structural reforms, it must weaken the civil society popular movements.

This is the most plausible hypothesis. President Santos is capable of promising the FARC any sort of 'democratic reforms' and is willing to sign off on anti-drug agreements and even 'agrarian development'. But what he is unwilling to accept is the emergence of mass peasant movements actively engaged in changing land tenure, repossessing their farms and reclaiming millions of acres of land granted to big foreign owned mining consortiums.

Santos will not 'demobilize' the paramilitary gangs because they are instruments of the big landowners and protect the state grants to the big mining companies. But he will try to limit death squad targets to specific activists and organizations in contentious regions.

Santos has not even curtailed the cross border attacks by Colombian paramilitary groups. Assassinations continue, the latest, the assassination of a Venezuelan Congressional leader. He has expanded military ties with the US by pursuing agreements to collaborate with NATO - offering combat units for the Middle East wars.

What is abundantly clear is that the Santos regime has not complied with the most elementary conditions necessary to implement any of the five point reform agenda set forth in Havana. Military impunity, rampaging death squads, scores of daily death threats to human rights activists, over nine thousand political prisoners and dozens of unsolved killings of peasant leaders is not compatible with a transition to a democratic peace. They are compatible with the continuity of an authoritarian oligarchical regime. A democratic transition and a peace agreement requires a fundamental change in the political culture and institutions of the Colombian state.