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Andrés Gaudán

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Colombia's 2014 Presidential Elections Play Role in Peace Talks

by Andrés Gaudín

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Throughout all of 2013, and certainly for many months to come, the political life of Colombians has been and will be marked by the peace talks between the administration of President Juan Manuel Santos and the guerrilla Fuerzas Armadas Revolucionarias de Colombia (FARC) underway in Havana, Cuba, since November 2012 (NotiSur, Dec. 14, 2012). In recent weeks, after many encouraging moves by both sides, a series of contradictory signs—radically different in some cases—has cast a shadow on the process and demeaned the level of the dialogue.

Analysts from different perspectives believe that the cause has much to do with the approach of next year's legislative and presidential elections. In the past month, as polls began to show a drop in support for Santos, whom a majority of Colombians now regard as a "weak leader" and lacking the character to dialogue with the rebels, the president has been trying to show that he is "tough."

Santos ordered a ruthless repression of a social protest in the northeastern area of Catatumbo, which ended with the police killing four campesinos (NotiSur, Aug. 2, 2013). Then, on Aug. 8, he said that he had ratified an order for military leaders to "kill Timochenko, wherever he is." Timochenko is the nom de guerre of Rodrigo Londoño Echeverry, top leader of the FARC. Santos' kill order did not stop him from saying the following day, "It has been proven that the best way for people to understand each other is through dialogue, which is why I'm willing to sit down right now and talk with Timochenko."

FARC offers four-point plan for discussion

On July 29, after a brief respite, the two sides met again at the Palacio de las Convenciones in Havana to begin the 13th round of peace conversations, dealing with the integration of the guerrillas into legal political life if an agreement is signed. As is customary at the beginning of each stage of negotiations, the FARC again demonstrated its stunning ability to raise high-impact ideas. This time it suggested to the government a discussion on four points and surprised everyone with its self-criticism, admitting its responsibility in the drama that has punished Colombian society since confrontations began between the FARC and the Colombian armed forces.

The four points, to which the government had not responded by the end of the 13th round of talks, were: 1) drawing up a "political- and social-opposition statute that guarantees, among other things, the right to form political parties, movements, and groups with all guarantees and no restrictions," implying that legal recognition of such groups would not depend on an electoral threshold; 2) a commitment to re-establish and pay compensation to Unión Patriótica (UP), a political structure created in 1985 by demobilized guerrillas, which was decimated by paramilitary groups that murdered almost the entire leadership and thousands of activists. The request for reparations includes the return of the legislative bloc that the UP had when it was forced to withdraw from the political scene; 3) creating a "historical state-terrorism truth commission that would investigate and clarify the UP genocide"; and 4) forming a "compensation fund" to overcome social inequalities in marginalized areas.
Santos gives mixed signals

Other negative actions followed Santos' Catatumbo repression and the order to kill Timochenko, such as a new refusal to agree to terms of a bilateral cease-fire, the policy of exterminating human rights activists (37 were murdered between January and June, and five more were killed in the first week of August, all in the northern department of Córdoba), and a complaint by the Fiscal General that updated the "evil-twins theory," equating the rebels and the paramilitary commandos and accusing three guerrilla commanders and 13 paramilitary leaders of "having ordered the murders of at least 30,000 people."

Nevertheless, amid these negative signs, Santos made a notable positive gesture on July 25, admitting publicly for the first time in the country's history the state's responsibility for crimes committed during the half-century-long armed conflict. Santos said, "The Colombian state has been responsible, in some cases by omission and in other by direct action by some of its agents, for serious human rights violations and infractions of international humanitarian law."

The attitude was recognized even by Iván Márquez, head of the FARC negotiating team in Havana, who said, "We hope, when it says that, the government is as honest and sincere as we are when we say that we feel the suffering of the victims of the conflict."

On Aug. 22, the president again verbally confronted the FARC by sending Congress a bill that would authorize a referendum in which Colombian society would either support or reject any accords reached in Havana. That proposal rejects the rebels' suggestion for a Constituent Assembly to enact reforms to give constitutional backing to any agreements. Santos tried to satisfy and calm skeptics on the right, saying that his initiative was only "an act of responsibility," since, if an agreement with the FARC is not reached, "absolutely nothing would happen, this possibility would not be applied, and that would be that."

Timochenko responded by asking, "Let's reflect a moment. Is there any reason a government would propose a law presupposing something that might not happen and affirming that, if it doesn't happen, it's not important?" The guerrilla leader said that Santos "is pressuring in every way possible to reach an agreement by the end of the year, with the intention of benefitting in the March and May elections, using an eventual peace agreement to allow him to improve his poll numbers and win re-election."

Four days later, Colombians again felt the pressure of the contradictions. After competing diatribes and suspicions, the two sides announced that they had reached an agreement with the UN and the Universidad Nacional (UN) to hold a forum on illegal drugs between Sept. 24 and Oct. 3. The aim is for society to give its input for when they return to Havana to begin the 14th round of talks, specifically on that topic.

Re-election speculation

Timochenko was probably not mistaken in saying that Santos' proposal has much to do with the elections. While the president continues saying that for now he is not thinking about re-election, all his political actions clearly point in that direction, especially in recent weeks, when polls showed that he would not be the preferred choice of Colombians in the next elections, forcing him to now make up lost ground.
If elections were held today, polls indicate that the winner would be far-right former President Álvaro Uribe (2002-2010)—who cannot run again because he has already served two terms—or one of his lieutenants, most likely former vice president Francisco Santos, a cousin of the president who has no dialogue or friendly relations with him.

On April 20, President Santos had said for the first time that he did not aspire to re-election, but then he threw out a strange alternative suggestion, saying, "If I run again in 2014, it would be to remain in office for only two years, so that from then on presidential terms would be for six years without any possibility of re-election. I say this because a four-year term is very short for an administration to achieve good results."

Santos knew that, if his proposal were serious, he would have to immediately send a bill to Congress so that it would have time to debate and vote on it. Then, Jaime Córdoba Triviño, the former president of the Corte Constitucional, explained that Santos' proposal would require a constitutional amendment, which would have to be approved by Congress and then reviewed by the Corte Constitucional, the highest court, which has the final say on constitutional matters.

"The timeline for that proposal is really very complicated because it has to go through four legislative rounds to then be analyzed by the court, which makes a final decision," said the jurist. The legislative period that Córdoba Triviño refers to began July 20 and Santos did not introduce any bill related to his proposal.

Since by his criteria four years is insufficient time to have a successful administration, Santos will have to run for re-election, as Timochenko suggested, and, although the polls are not favorable, it would be very different if he could present himself to the citizens as the man who made the return to a life of peace possible after five decades of a bloody war that has left hundreds of thousands dead and millions displaced.

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