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INSTITUTO DE RELAÇÕES INTERNACIONAIS

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**The Role of Political Decision-Making Processes and International Cooperation in  
Promoting Peace and Resolving Armed Conflict in Colombia**

Sao Paulo

2020

**MARGARITA MARIA BAUTISTA MARTINEZ**

**O Papel dos Processos Políticos-Decisórios e a Cooperação Internacional para  
Promoção da Paz e a Resolução do Conflito Armado na Colômbia**

Tese apresentada ao Programa de Pós-Graduação em Relações Internacionais do Instituto de Relações Internacionais da Universidade de São Paulo, para a obtenção do duplo título de Doutor em Ciências junto com o King's College de Londres.

Orientador(a): Prof. Dr. Rafael Antonio Duarte Villa (USP)

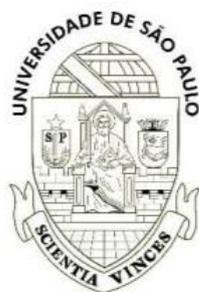
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y apoyo incondicional.

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## **Abstract**

BAUTISTA, M. *The Role of Political Decision-Making Processes and International Cooperation in Promoting Peace and Resolving Armed Conflict in Colombia*. 2020. Tese (Doutorado) – Instituto de Relações Internacionais, Universidade de São Paulo, São Paulo, 2020.

This thesis analyses the Colombian government's decision-making process that involved international actors during the Havana peace process (2012-2016). The research highlights the influence of international actors in the government's decisions that worked to end the armed conflict between the government and the FARC-EP in Colombia. In particular, this study raises the following research question: How, and in what way, was the Colombian government's decision-making process influenced by international actors, especially the presence and actions of the UN, during the Havana peace process? The hypothesis of this research expects that the decision-making of the Colombian government during the Havana peace process had a key political condition of clearly defined involvement from international actors. It focuses on the Colombian Executive branch as the main actor and its relations with other national and international actors. To do so, the research references the theories of Foreign Policy Analysis, including the Governmental Politics Model and the Two-Level Game Model. This thesis provides an in-depth analysis of the Colombian government's decision-making process that involved UN cooperation by applying an interpretative case study. The research methodology is built on data collection gathered by interviewing a number of high-profile individuals involved in the Havana peace process including members of the Colombian government, members of the former guerrilla FARC-EP, United Nations Officials, and national and international academics and advisors who were involved in the decision-making during the negotiations. The conclusion goes on to argue that the Colombian decision-making process implemented during the negotiations was designed precisely to effectively define the role of international support, which improved the likelihood of success of the final peace agreement. The cooperation of international actors, especially from the UN, built trust between the negotiating parties regarding the sustainability of the negotiations. In addition, the international cooperation promoted institutional and political conditions that were necessary to achieve the final peace agreement.

**Keywords:** Colombian armed conflict, political decision-making processes, peace process, negotiations, international cooperation

## Resumo

BAUTISTA, M. *The Role of Political Decision-Making Processes and International Cooperation in Promoting Peace and Resolving Armed Conflict in Colombia*. 2020. Tese (Doutorado) – Instituto de Relações Internacionais, Universidade de São Paulo, São Paulo, 2020.

Esta tese analisa o processo de tomada de decisão do governo colombiano que envolveu atores internacionais durante o processo de paz de Havana (2012-2016). A pesquisa destaca a influência de atores internacionais nas decisões governamentais que funcionaram para concluir o conflito armado entre o governo e as FARC-EP na Colômbia. Em particular, este estudo levanta a seguinte pergunta de pesquisa: Como, e de qual forma, o processo de tomada de decisão do governo colombiano foi influenciado pelos atores internacionais, especialmente a presença e ação da ONU, no processo de paz de Havana? A hipótese desta pesquisa argumenta que o processo de tomada de decisão do governo colombiano durante o processo de paz de Havana requereu uma condição política de ter claramente definidos os limites do envolvimento de atores internacionais. A pesquisa se concentra no poder Executivo colombiano como ator principal e em suas relações com outros atores nacionais e internacionais. Para isso, a pesquisa se baseia em teorias de Análise de Política Externa, incluindo o Modelo da Política Governamental e o Modelo de Jogo de Dois Níveis. Esta tese proporciona uma profunda análise do processo de tomada de decisão do governo colombiano que envolveu cooperação da ONU, aplicando um estudo de caso interpretativo. A metodologia de pesquisa se fundamenta na coleta de dados, entrevistando vários indivíduos de alto nível envolvidos no processo de paz na Colômbia, incluindo membros do Governo colombiano, membros da ex-guerrilha das FARC-EP, funcionários das Nações Unidas, acadêmicos e assessores nacionais e internacionais envolvidos no processo de tomada de decisão durante as negociações. A conclusão da pesquisa argumenta então que o processo de tomada de decisão colombiano implementado durante as negociações foi designado precisamente para definir efetivamente o papel do apoio internacional, que melhoraria a probabilidade de sucesso do acordo final de paz. A cooperação de atores internacionais, especialmente da ONU, criou confiança entre as partes negociadoras sobre a sustentabilidade das negociações. Adicionalmente, a cooperação internacional promoveu condições institucionais e políticas que foram necessárias para alcançar o acordo final de paz.

**Palavras-chave:** Conflito armado colombiano, processos políticos de tomada de decisão, processo de paz, negociações, cooperação internacional

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## *List of abbreviations*

ADO – Autodefensas Obreras — Workers Self Defense Movement

AD-M19 – Alianza Democrática M-19 — Democratic Alliance M-19 Party

ANDI – Asociación Nacional de Empresarios de Colombia (ANDI) — National Association of Businessmen of Colombia

ANZORC – Asociación Nacional de Zonas de Reserva Campesina — National Association of Peasant Reserve Zones

APEC – Asia-Pacific Economic Cooperation

APC – Agencia Presidencial de Cooperación Internacional — Presidential Agency for International Cooperation

AUC – Autodefensas Unidas de Colombia — United Self-Defence Forces of Colombia

BCB – Autodefensas Campesinas Bloque Central Bolívar — Self-defense Peasants Central Bolivar Block

CELAC – Comunidad de Estados Latinoamericanos y Caribeños — The Community of Latin American and Caribbean States

CGSB – Coordinadora Guerrillera Simón Bolívar — The Simón Bolívar Guerrilla Coordinating Board

COALICO – Coalición contra la Vinculación de Niños, Niñas y Jóvenes al Conflicto Armado en Colombia — Coalition Against Linking Children and Youth to Armed Conflict in Colombia

COET – Comando Estratégico de Transición — Commander of the Transitional Strategic Command

CONPAZ – Comunidades Construyendo Paz en los Territorios — Communities Building Peace in the Territories

CRS – Corriente de Renovación Socialista — Current of Socialist Renewal

CRNR – Consejería de Reconciliación, Normalización y Rehabilitación — Counselling of Reconciliation, Standardisation and Rehabilitation

CSTC – Civil Society Technical Committees

DDR – Disarmament, Demobilisation & Reintegration

DPO – Department of Peacekeeping Operations

ECOSOC – UN Economic and Social Council

ELN – Ejército de Liberación Nacional—The National Liberation Army

EPL – Ejército Popular de Liberación— Popular Liberation Army (PLA)

EU – European Union

FAO – The Food and Agriculture Organisation

FPA – Foreign Policy Analysis

FARC-EP –Fuerzas Armadas Revolucionarias de Colombia (Ejército del Pueblo)—The Revolutionary Armed Forces of Colombia – People’s Army

FBG – Fundación Buen Gobierno —Good Governance Foundation

FIP – Fundación Ideas para la Paz —Ideas for Peace Foundation

FSLN – Frente Sandinista de Liberación Nacional — The Sandinista National Liberation Front

IAPA – Inter-American Press Association

ICRC – The International Committee of the Red Cross

ICTJ – International Center of Transitional Justice

IOM – The International Organisation for Migration

JEP – Justicia Especial para la Paz — Special Jurisdiction for Peace

MAQL – Movimiento Armado Quintín Lame — Quintin Lame Armed Movement

MIR-COAR – Movimiento Independiente Revolucionario Comandos Armados — Independent Revolutionary Movement Armed Commands

MM&V – Mecanismo de Monitoreo y Verificación — Monitoring and Verification Mechanism

M-19 – Movimiento 19 de Abril — The 19<sup>th</sup> April Movement

NATO – North Atlantic Treaty Organisation

NGOs – Non-governmental organisations

NSD – National Security Doctrine

NPA – Norway People’s Aid

OAS – Organisation of American States

OACP – Oficina del Alto Comisionado para la Paz —Office of the High Commissioner for Peace

OHCHR – The Office of the High Commissioner for Human Rights

PKO – UN Peacekeeping Operation

PLO – Palestine Liberation Organisation

PRT – Partido Revolucionario de Trabajadores — Workers Revolutionary Party

SDNT – Specially Designated Narcotics Traffickers list

SPM – UN Special Political Mission

STFC – Subcomisión Técnica del Fin del Conflicto — Technical Subcommittee for Ending the Conflict

SIVJRNR – El Sistema Integral de Verdad, Justicia, Reparación y No Repetición — The Integral System of Truth, Justice, Reparation and Non-Repetition

UN – United Nations.

UNASUR – Unión de Naciones Suramericanas — Union of South American Nations

UNDOC – United Nations Office on Drugs and Crime

UNDP – The United Nations Development Programme

UNICEF – United Nations International Children’s Emergency Fund

UNTA – United Nations Technical Assistance

UP – Unión Patriótica — Patriotic Union Party

US – United States of America

ZVTN – Zonas Veredales Transitorias de Normalización — Transitory Standardisation Zones and Transitory Points

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## INTRODUCTION

On 24 November 2016, in Bogota, Colombia, the Final Agreement for the Termination of the Conflict and the Construction of a Stable and Lasting Peace was signed to great fanfare domestically and around the world. This agreement represented the end of the armed conflict between the Colombian government and the guerrillas of Las Fuerzas Armadas Revolucionarias de Colombia – Ejército del Pueblo (FARC-EP; the Revolutionary Armed Forces of Colombia – People’s Army), which had been raging since 1964. It was the culmination of successful peace process negotiations that took place in Havana, Cuba between 2012 and 2016. While the negotiations were fundamentally between the Colombian government, under the presidential administration of Juan Manuel Santos (2010–2018), and the FARC-EP, numerous international actors were also involved in the peace process. What differentiated this peace process from past ones was that the policy decision-making by both sides was influenced by international actors, and it was that influence that made it possible to achieve the desired peace with the FARC-EP. Therefore, this research analyses the influence of international actors in the decision-making process and the conditions set by the Colombian government that affected their participation in the negotiations.

To contextualise this thesis temporally and spatially, as noted by Medina (2010), the armed conflict between the Colombian government and the FARC-EP began following the emergence of guerrilla fighters in response to the development of an initial phase of agrarian expropriation by the oligarchic Colombian state of farmers (peasants) who sympathised with the Liberal Party. Initially, the FARC-EP guerrillas were largely farmers responding to the attacks of paramilitary gangs known as “the birds”, who had a powerful influence and the resources of conservative state groups. This situation was intensified by the rise in the number of large private estates of land, which disadvantaged large numbers of farmers, as well as the influence of the Cuban Revolution (1953–1959), and national liberation movements across the Global South in the Cold War era.

During the 1960s, several armed groups rose up against the Colombian government. These guerrilla groups included the FARC-EP; El Ejército de Liberación Nacional (ELN; the National Liberation Army); El Ejército Popular de Liberación (EPL; the People’s Liberation Army); El Movimiento 19 de Abril (M-19; the 19th April Movement), (Casas, 1987; Pizarro, 1991; 1996; Echandía, 1999). These groups emerged when the National Front was in power (1958–1978) – a coalition between the Conservative Party and

the Liberal Party, which resulted in the social and political exclusion of minorities, unequal distribution of land, repressive and selective social violence, corruption, and social injustice (Valencia, 2013; Segura and Mechoulam, 2017; Fontecha-Tirado, 2018). These guerrilla groups demanded social justice and equality on basic human rights for everyone in Colombia, advocating armed struggle as the only way forward (Fontecha-Tirado, 2018).

The Colombian armed conflict is understood as a social, political, and economic internal struggle that has been part of Colombian life for many decades. According to Ramsbotham et al. (2011), this war is classified as a conflict between the national government and the FARC-EP guerrillas with an internal dynamic within the borders of Colombia. Furthermore, according to Crocker's et al. (2004), the Colombian conflict is referred to as a long-term conflict where there has been psychological damage on both sides, as well as a sense of deep victimisation and suffering over time. According to Cosoy (2016), it is estimated that 260,000 people were killed, thousands were disappeared, almost seven million displaced, there were also rapes, kidnappings and countless personal tragedies.

This phenomenon of political violence, perpetrated by the guerrillas seeking social change in response to social conflicts, was not unique to Colombia. Other groups were similarly organising themselves in other Latin American countries, frequently resorting to the use of violence as a political mechanism. The victory of the Cuban Revolution in 1959 further inspired several guerrilla hotspots in the region. Soon, the first guerrillas adopting the Cuban model appeared in Central America and Venezuela. Urban guerrillas also appeared in Uruguay, Brazil, and Argentina. However, the particular social, political, and economic characteristics of Colombia itself affected how its own guerrillas fought within the country. Namely, that the guerrillas were incubated primarily in rural areas because of the vast disparities in wealth distribution and open physical terrain throughout the country. Later, they gained influence in urban areas and complemented the actions of the primary guerrilla forces operating in the rural areas.

This thesis focuses on the conflict with the FARC-EP, which was founded in 1964 in the Colombian municipality of Marquetalia, led by Manuel Marulanda (a.k.a Tiro Fijo) and Jacobo Arenas. The group was considered the strongest of the country's guerrillas, for having the largest number of combatants and for being the oldest guerrilla faction. The group sought

to sustain its actions through both legal and illegal activities.<sup>1</sup> The financial success of these activities in particular fuelled their strength in the 1980s.

Domestically, the Colombian government recognised that the establishment of these armed groups could become a trans-border national security threat. From the 1960s onwards, successive Colombian governments took a variety of decisions in a bid to find a solution to the conflict, considering the parameters of the specific new government administration and the political tactics deployed to counter the confrontation. The government's approaches to different groups, and seeking a resolution to the conflict, varied depending on their political affiliations and preferences.

From the 1980s, there were the first concerted efforts towards a negotiated solution with the guerrillas; these focused on the interactions between different institutional and domestic actors. Between 1982 and 1986, there was the so-called "armed truce" during the administration of President Belisario Betancur. These peace negotiations continued under the government of President Virgilio Barco (1986-1990), but faltered and came to an end in 1987. Later on, President César Gaviria (1990-1994) restarted negotiations, but they too ended in failure in 1992.

To contextualise, "negotiated peace diplomacy" was established in the late 1990s and early 2000s under the Andrés Pastrana government, which established the role of international actors in resolving the armed conflict. President Pastrana created this policy to seek international support and to obtain the economic and technical resources required to help broker peace, through the use of Official Development Aid during the Caguán peace process. However, these peace negotiations by the Pastrana government were unsuccessful for several reasons. Most significantly, because it was not practical to negotiate such a broad agenda in a relatively short amount of time, the negotiations had little support from Colombian institutions. Secondly, there was no real commitment from the parties to overcome difficulties during the negotiations. Furthermore, the establishment of a demilitarised zone ended up strengthening the guerrillas. Finally, the role of international actors was not clearly defined and delimited.<sup>2</sup> With the election of President Álvaro Uribe

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<sup>1</sup> According to Insight Crime (2013), FARC-EP had two main sources of funding, and others that were secondary. The most important was drug trafficking, the second was extortion, followed by their participation in mining, especially in gold and coltan (niobium and tantalum). Finally, they had legal investments in land and some organisations and companies in their areas of influence.

<sup>2</sup> Additionally, other reasons were: there was not a broad representation of the civil society in the CSTC (Civil Society Technical Committees); the negotiation of "The Plan Colombia" between the Colombian and the US government; several incidents between the negotiating parties including: attacks and kidnappings by the guerrillas, rumours of support from the government to paramilitary forces; not addressing the role of the international community during the negotiation; and excessive presence of the public and the media that would end up generating external pressure on the table.

in 2002, the Executive branch restarted the military offensive against the FARC-EP under a state policy known as the “Democratic Security Policy”. This policy excluded any formal peace negotiations with the guerrilla group, and instead demanded their defeat via military confrontation. This policy transformed the nature of international involvement in the resolution of the conflict towards reinforcing military activities as opposed to aiding in negotiations.

The discussions and dialogues in favour of a non-military solution to the armed conflict against the FARC-EP were later resumed by President Santos. These efforts highlighted a wider national interest, focused on enabling a negotiated solution to the conflict facilitated by international actors. In 2011, exploratory meetings between the government and the guerrillas were initiated and further secret negotiations were held between 23 February 2012 and 26 August 2012. These approaches enabled the inauguration of an official negotiating table in Havana in October 2012 with active participation from an international group of representatives, including Cuba, Norway, Venezuela, Chile, the International Committee of the Red Cross (ICRC), the United Nations (UN), the Union of South American Nations (UNASUR, Spanish acronym), the United States (US) and the European Union (EU). The negotiations represented a new vision for the resolution of the conflict and its international participants as facilitators to the decision-making process.<sup>3</sup> It is important to recognise that the participation of the UN as a key and defining actor during the peace negotiations contributed to the end of the conflict and helped to legitimise the Final Agreement signed with the FARC-EP (Gobierno Nacional de Colombia - FARC-EP, 2018).

Henceforth, the decision-making process used by the Colombian government that allowed for the inclusion of international actors in the Havana peace process was better defined than previous attempts and proved crucial for its future success. It included domestic governmental actors who made effective strategic decisions based on their prior professional experience, and built on lessons learned during previous peace processes in Colombia and elsewhere. However, in order to maintain control over the final decisions, which were linked to national and international efforts, the domestic actors established clearly defined limits of the involvement of any foreign actors.

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<sup>3</sup> International actors will also participate in the next stage, known as “post-agreement-peace implementation”. This followed the chronology of the peace talks, whereby once an agreement between the Colombian government and the guerrillas of the FARC-EP had been reached, the “Post-agreement” stage started. It is this phase that is understood to be the end of the armed conflict and the beginning of the construction of a desired peace for a new country.

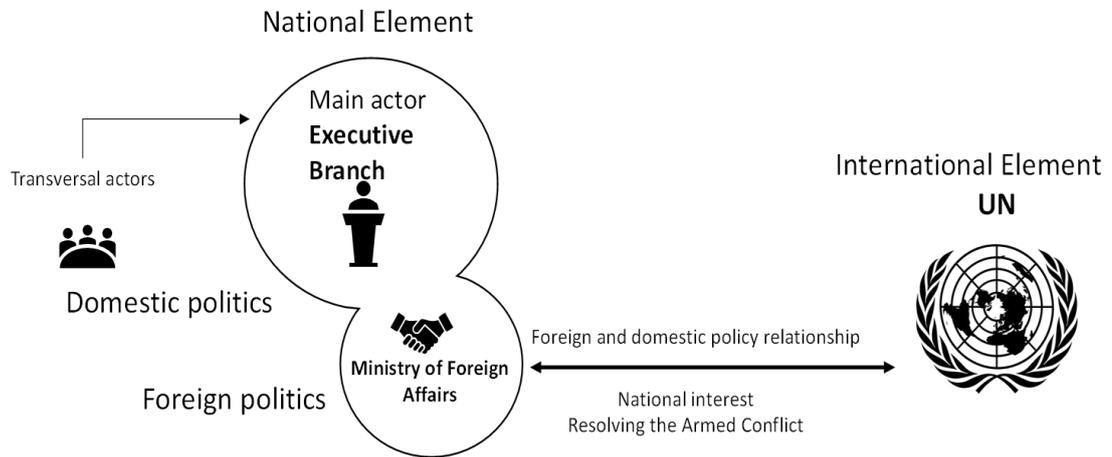
Considering the participation by international actors in the peace process, this study raises the following research problem: How, and in what way, was the Colombian government's decision-making influenced by international actors, especially the presence and actions of the UN, during the Havana peace process? As demonstrated in other studies of unsuccessful peace processes, the lack of clearly defined limits and scoping for international actors would often prevent the maximisation of their contributions during the decision-making process. My hypothesis therefore proposes that the decision-making of the Colombian government during the Havana peace process had the key political condition of clearly defined involvement from international actors which enabled its success. The cooperation of international actors, especially from the UN, was significant in the resolution of the conflict as it built trust between the negotiating parties regarding the sustainability of the negotiations. In addition, international cooperation promoted institutional and political conditions that were necessary to achieve the final peace agreement.

The government's decision-making in peace negotiations involving international actors to resolve internal conflicts can strengthen or weaken the specific peace processes as they can either provide negotiators with an increased sense of security, or inhibit them. Therefore, it is important to analyse how the strategies implemented by the Colombian government, specifically the Executive branch represented by the President, the High Commissioner for Peace, the Havana Chief Negotiator, the Ministers and top advisors, were affected by both international actors, as well as by domestic actors during its decision-making processes. This thesis utilises Allison's Governmental Politics Model (1971) in which there is a clear emphasis on various domestic actors interacting with each other during foreign policy decision-making. However, this model does not consider the importance of foreign actors that are involved directly or indirectly in the domestic decision-making process, and so this thesis builds on the model further emphasising the international role. This study also considers how the domestic and international arena negotiated international cooperation, as illustrated by Robert Putnam's (1988) Two-Level Game Model.

Figure 1 summarises the scope of this analysis, concentrating on two key elements in a cross-sectional study. The first element is internal, containing the domestic actors, primarily the Executive branch and those who are able to influence its decisions. The second element involves the international actors' participation in the peace negotiations. The decision-making process for the resolution of the armed conflict in Colombia refers to the decisions of the Executive branch, which are influenced by interactions with domestic and foreign actors. Domestic actors are driven by the national interest in resolving the conflict, where

international member states of the UN hold their own individual reasons and interests for a peaceful, negotiated resolution.

**Figure 1.** Government Political Decision-Making Process for the Resolution of the Armed Conflict in Colombia.



Source: Own elaboration.

This thesis develops further the existing theoretical framework by demonstrating that the theoretical assumptions that have previously only been applied to short-term conflict negotiation are similarly appropriate for longer-term conflicts. Furthermore, this thesis demonstrates that the negotiation process can be influenced by international actors in a cumulative manner over time. This research includes two considerations that support the arguments of the theoretical framework, firstly, the key role of the President in the government’s decision-making process, that is, as the most independently powerful political unit, and secondly, the importance of employing an international vehicle to generate trust between domestic actors involved in a long conflict. Finally, this research demonstrates that the best way for theoretical frameworks to be tested, in the case of decision-making processes, is through solid empirical research.

### **The Methodological Approach of the Case Study**

This thesis uses an interpretative case study alongside a theoretical framework and establishes the influence of historical peace negotiations and their impact on the Colombian government’s decision-making. According to Vennesson (2008), interpretative case studies use a theoretical framework to explain specific cases, which consequently results in the

evaluation or refinement of theories, which are used to analyse the processes and results of the phenomena selected in the analysis. The methodological approach of this analysis is qualitative, and it includes an interpretative study of the domestic decision-making process and the interaction between the national element with the international element to evaluate the international actor's role in the resolution of the armed conflict. As a result, the decision-making approach can be considered suitable for the study and development of the research problem. It provides the categories and concepts to expand upon in the central chapters of this research, and identify exactly how international cooperation has optimised conditions for the success of the peace process between the Colombian government and the FARC-EP.

The qualitative methodology and the decision-making approach are justified as it offers a model that can focus on specific elements of multiple studies, especially when we have a recent and under-explored area of study. Meanwhile, a number of important case studies are applied to describe, categorise, and generate typologies and hypotheses. In addition, it is important to explain the characteristics of the phenomena, by the study of selected events, which are useful to shed light on the causal relations that have affected the decision-making process over time (Evera, 1997).

The first step for resolving the problem is to review the existing literature on the armed conflict in Colombia and the peace negotiations with the FARC-EP. Additionally, an overview of the management of the Colombian domestic and foreign policy is also necessary, given the domestic decision-making policies that were projected into the international sphere. Therefore, the keywords and topics related to this area of research were identified in order to conduct database searches. Next, secondary sources written by authors interpreting the works of others, including books, articles, communiqués, essays, and reports relevant to the study were analysed.

The second step was to map the national and international actors who played an important role in the pursuit of peace in the Havana negotiations. The research compiled interviews with significant actors in the peace process as primary sources. In total, twenty-five interviews were conducted, twenty in Colombia and the United Kingdom personally, and the last five by phone, to New York (2), Tel-Aviv, Singapore, and London. The interviewees included members of the Colombian government, former members of the FARC-EP, UN Officials and national and international academics and advisors who were involved in the decision-making during the negotiations.

Colombian government personnel interviewed: the former President of the Republic (2010–2018), Dr. Juan Manuel Santos; the former Chief Negotiator, Humberto de la Calle; the former High Commissioner for Peace, Sergio Jaramillo; the former Minister of Foreign Affairs of Colombia (2010–2018), María Angela Holguín; the former Vice President and Peace Negotiator Oscar Naranjo; the UN Permanent Representative for Colombia (2010–2014), Néstor Osorio; the UN Permanent Representative for Colombia (2014–2018), María Emma Mejía; advisor from the Office of the Minister of Foreign Affairs, Diana Lucía Rengifo; advisors from the Office of the High Commissioner for Peace, Julián Arévalo and Andrea Peña; Senator of the Republic of Colombia (2014–2018), Horacio Serpa (R.I.P); and retired Colombian Navy Officer and Member of the Technical Subcommittee for Ending the Conflict (STFC, Spanish acronym), Captain Omar Cortés.

International advisors for the Colombian government interviewed: former British Diplomats, Dr. Dudley Ankerson, and Jonathan Powell; former Israeli Diplomat, Dr. Shlomo Ben Ami; and the Negotiation Expert from Harvard University, Dr. William Ury.

FARC-EP negotiators interviewed: the leader negotiating the Implementation of the Monitoring and Verification Mechanism (MM&V, Spanish acronym), Luis Alberto Albán (better known as Marcos Calarcá); the Head Member in the STFC representing the guerrillas, Julián Gallo (better known as Carlos A. Lozada); and the FARC-EP Negotiator, Ricardo Téllez (better known as Rodrigo Granda).

UN officials interviewed: the UN Under-Secretary General for Political Affairs (2012–2018), Jeffrey Feltman; advisor to the UN Special Representative of the Secretary-General and Head of the UN Mission in Colombia, Mauricio Artíñano; Chief of Staff of the UN Mission in Colombia, Raúl Rosende; the National Security Coordinator of Guarantees in the UN Mission in Colombia, Yohn Medina; Head of Reintegration at the UN Verification Mission in Colombia, also Head of the UN Office for the Coordination of Humanitarian Affairs (OCHA) in Colombia (2008–2010), Alessandro Preti. Finally, the Professor from the National University of Colombia and Director of the Centre for Political Thought and Dialogue, Dr. Jairo Estrada.

These interviews were recorded digitally, using the semi-structured interview methodology described by Boni and Quaresma (2005), who recommend a flexible and facilitating nature to immediately organise detailed information about the research.

Finally, all this qualitative material was critically studied for the review to establish strategies to guide the construction of the research.

The third step was a study of the peace process between 2012 and 2016, analysing the period, duration, locations, military actions, and political status of the guerrilla group, guarantors and accompanying countries, national and international advisors, cycles of negotiations and the peace agreements that were carried out.

The fourth step was the case study as an interpretative study to analyse decisions made in the domestic field during the agreements that structured the actions and scope of international participation. A preliminary investigation found that the UN's international support had significant economic, political and/or social repercussions within the country during the period under review. Similarly, from preliminary interviews conducted with Colombian officials who worked supporting the negotiating table in Havana, the UN's international support was seen as crucial in continuing the negotiations, as there was no other international participant equivalent to the UN, who affected the peace negotiations to such an extent.

To study how the government's decision-making has been developed in the case study, the Executive branch was considered as a leading actor, co-operating with other domestic, and international actors in a cross-cutting manner within the framework agreement, that is to say, the agreed agenda for the negotiations that established the purpose of the peace process, concluding in the termination of the conflict.

Cooperation agreements generate both supporters and opponents domestically, groups which have their own internal struggles. The domestic sticking points identified during these struggles can shape the debate at the international level, and the nature of concessions and agreements that will eventually be made. To that end, to unravel the procedure and demonstrate the hypothesis, the government's decision-making within the Havana peace process and the international participation of the UN were analysed. This work considers the foreign policy analysis by Clarke and White (1995); Hudson (2005); Margaret and Charles Hermann (1989) and Hermann (1990), as well as the Allison's Governmental Politics Model (1971) and Robert Putnam's Two-Level Game Model (1988 and 1993). The research was carried out in an exploratory and explanatory way, as suggested by Gil (2008), to provide greater familiarity with the subject of decision-making and the policies that generated a connection with the international actors that were studied. This is

done using the empirical technique based on the categorisation of the experiences and processes observed in relation to the case study during the established period.

Based on the development of the research and this proposed methodology, my theoretical findings point to some contributions that are both empirical and theoretical. These will be outlined in the final section of this thesis entitled “Final Considerations”. My choice for the framework can be justified in four ways. Firstly, because it shows in detail the political, institutional, and technical resources that can be mobilised through international cooperation to expand the win-set of an agreement. Secondly, it shows how international cooperation can influence reciprocal gains for domestic actors. Thirdly, it shows how theoretical frameworks for decision-making can be successfully introduced for long-term conflicts. Finally, it shows how the structure of international cooperation is more theoretically competitive to introduce domestic gains beyond simple bargaining between actors, because cooperation works as a transmission channel that takes advantage of other processes, and learns from the mistakes and successes of past negotiation processes.

This thesis is divided into six chapters. Chapter One outlines a theoretical framework considering theories for domestic and foreign policy analysis. Chapter Two shows the historical contextualisation of domestic and foreign Colombian policies for the armed conflict. Chapter Three outlines the preparation of Colombia for international involvement towards the Havana peace process. Chapter Four presents the organisation and development of the decision-making process for the Havana peace process. Chapter Five highlights the role of international cooperation during the negotiations. Finally, Chapter Six outlines the beginnings of the involvement of the UN and its influence throughout the peace negotiations.

Chapter One considers two theories of foreign policy analysis that contribute to the study of the Colombian decision-making: Graham Allison’s Governmental Politics Model and Robert Putnam’s Two-Level Game Model. Both authors analyse the interaction between domestic actors who carry out simultaneous negotiations within the national and international spheres. Additionally, this chapter complements these two theoretical models with other authors who investigate the interactions between domestic and international actors; the role of the Executive branch; and the elements that affect the final decision-maker throughout the decision-making process.

Chapter Two illustrates differing Colombian historical domestic and foreign policy approaches to handling the armed conflict during times of violent tension and the peace

negotiations. This chapter outlines the previous Colombian decision-making and the impact of foreign policy and international cooperation on the management of the armed conflict by different government administrations. It provides the historical context of interactions between domestic and international actors to introduce the next chapter, observing which lessons were adopted during the previous peace negotiations, and what the impacts of these points were in the new decision-making process.

Chapter Three outlines the preparation of Colombia for international involvement through domestic reconciliations and policy changes that created a more solid footing for the government's position in the Havana peace process. The election of Juan Manuel Santos as President of Colombia is also deconstructed, followed by details of his background and policy strategies. Furthermore, it covers the improvement of Colombia's diplomatic relations with its neighbours and how it sought regional support. Finally, the reformation of governmental policies in order to create political coalitions in parallel with exploratory meetings with the FARC-EP is discussed.

Chapter Four analyses the decision-making process by the Colombian government during the Havana peace process, considering how the Colombian government managed the connection and the approach of the domestic and international politics applied in pursuit of peace. Given that international support was highly important during the peace negotiations with the FARC-EP, this chapter seeks to introduce the foreign policy of the Santos government and its decision to involve international parties in search of peace. For this analysis, the role and reformulation of governmental policy strategies for the organisation, launch and development of peace negotiations is highlighted.

Chapter Five studies the role of international actors in ending the conflict and in ensuring the longevity of the final peace agreement. It presents the new governmental approach for the internationalisation of the peace negotiations and how international actors had their role clearly defined by the negotiating parties. The roles of international actors described in this chapter include: the ICRC, the guarantors and accompanying countries, the US, the EU, international experts, international leaders and other organisations.

Chapter Six presents the participation of the UN, its influence, and the limitations of its involvement. Specifically, it analyses the series of negotiations including: the intra-government negotiations, those between the government and the FARC-EP, and finally among the government and the UN, which created an unprecedented UN Special Political Mission.

## **CHAPTER 1. Theoretical Framework**

### **1.1. Domestic and Foreign Policy Decision-Making Process**

This section focuses on two theories that explain how domestic actors interact in the decision-making processes around internal issues that are linked with foreign policies. It uses Allison's Governmental Politics Model (1971) and Robert Putnam's Two-Level Game Model (1988 and 1993) to illustrate its point. These theoretical bases are relevant for the analysis of a case study where there is domestic and international interaction for the negotiation of agreements. These theories also study other important characteristics in decision-making such as: bargaining, preferences, alliances, consensus and conflicts.

#### **1.1.1 The Governmental Politics Model**

The Governmental Politics Model used by Allison (1971) to analyse foreign policy decision-making is relevant in this analysis because it focuses on various pacts between actors within a government hierarchy. In this case, the apparatus of each national government is a complex arena, where the intra-national game unfolds. It is a space in which there are interactions between various actors that will affect political decisions to a greater or lesser degree, which is evident in all political decision-making processes worldwide. Considering this theory is relevant to understand the government's decision-making of this research case study.

This theoretical model, also known as the bargaining model, considers the identification of the circle of central governmental actors in foreign policy that will shape the final decisions as a fundamental component. It is a broad arena where decisions are decentralised, which means that each player has independence. Bearing in mind the nature of the problems, there are disagreements despite the distribution of responsibilities. These problematic issues enrich the political processes where diversity can be either an advantage or a disadvantage.

According to Allison (1971), political processes emerge as discussions of powerful men who diverge on different issues. These are complex processes in which each person's preferences play an important role. To explain government decisions, it is necessary to identify actors, alliances, and commitments. These issues are defined by the preferences that in Allison's model represent a collage of decisions and actions guided by a certain government's behaviour on a given issue. These preferences are varied; there are interests

that compete with priorities and perceptions given the specific positions of individuals within the government.

Democratic countries have various political parties who act in specific political scenarios within the national government. These scenarios enable the participation of leaders with different bases of power who share influences over the decision-making processes. In the bargaining model, each participant has a separate responsibility. Specifically, in foreign policy, the President is the final decision-maker, which gives him a fundamental role. Allison (1971) mentions the academic work of Richard Neustadt *Presidential Power* (1960), in which he highlights the importance of presidential power as a power of persuasion. This is a relevant characteristic that is also laid claim to in the bargaining model, which considers the interaction of various actors from different origins in negotiating governmental issues.

The presidential persuasion concept is understood as part of structured processes in which agreements with different actors are not enough to guarantee a specific action. It contemplates separate institutions sharing power. According to Allison (1971), government participants have independent bases, and power is shared even with the President. This is controversial because the ultimate decision-making unit would be the President, but if he does not have support from his government, the impact of his governmental actions will not have the same effects. The President needs to convince multiple governmental actors in order to take decisions that will have effective support and will make his policies stronger.

Allison (1971) also highlights the existence of intra-national actions that intersect in what constitutes international relations. For this topic, he mentions the academic work on defence policies by Huntington, *The Common Defense* (1961), who points out another variant considered by the bargaining model, where decisions appear as something that is not a product of expert planning. Rather, decisions are the result of controversies, negotiations and pacts between officials and groups with different perspectives and interests.

In this model, government's decision-making is understood as a process of "consensus conflicts", which Allison (1971) describes as a habitual alliance between the techniques of persuasion, accommodation and agreement. Intra-national policies are the result of commitments, conflicts and confusions between officials who have diverse interests and asymmetric influences. In this sense, decisions are represented by pacts between members of the government with different preferences and influences that will become effective policies if guaranteed by the support of different governmental actors.

It is important to include the actions or decisions made by the government which were the result of bargaining between individuals and groups within the same government. Allison (1971) argues that explanatory power is achieved by displaying the action channel, positions, actors, preferences, and the toing and froing resulting in a negotiated outcome. He also highlights the determination of the moment and the specific action as a political outcome in which actors begin to work within, as well as the distribution of specific advantages and disadvantages of rules and laws that have been previously established. These characteristics are relevant to understand the mechanisms applied in decision-making within the specific context of sharing power.

As Allison (1971) enriched the foreign policy analysis literature by complementing his Governmental Politics Model with other studies of bureaucratic conflict. He cites the academic work of Roger Hilsman *The foreign-policy consensus: an interim research report* (1959), in which he emphasises the acceptance of the existence of conflicts and the need for building consensuses within these processes. Analysing the intra-government discussions that lead to official actions from any government is fundamentally important as they highlight the wide variety of viewpoints that are considered in establishing the government's decisions.

The government's decisions considering Allison's (1971) analysis are the sum of complex interactions between a number of individuals with different interests and actions. These actors form groups as agents to influence specific government decisions and actions. The author identifies three distinct types of groups. In the first, decisions are made by agglomerations of relatively independent decisions and actions by individual actors and groups of individuals. The second group represents decisions made by a combination of preferences and the relative influence of central individuals. Finally, the third group represents decisions made through combining preferences and the relative influence of a special subset of individuals.

In this analysis the importance of identifying who is involved in the decision-making process is crucial for studying the interests and actions that will influence final decisions. The individual positions define possible and required actions, it also clarifies the advantages of simultaneous roles and the performance of certain individuals. The personality and style qualities of an individual represent their personal postures in politics. Allison (1971) emphasises the importance of understanding an individual's sensitivities towards certain issues, commitments to various projects, and personal standing or debts within societal groups.

Knowledge of a decision-maker's background is important for predicting the individual's priorities and perceptions. Every individual has their own goals and interests, knowledge about what they can achieve and what they should do, considering their advantages and handicaps. However, there are three types of groups to consider within government's decisions: the independent (individuals and organised groups), the central, and the specific group involved with the matter at hand.

For Allison (1971) understanding the decision-maker relies on analysing certain characteristics. First, "Parochial Priorities, and Perceptions" based on the decision-maker's knowledge on social pressures and previous arrangements. Secondly, "Goals and Interests" where the national, organisational, domestic, and particular interest is considered. Thirdly, "Stakes and Stands" which are relatively individual interests where the individual decides on a certain posture. Finally, "Deadlines and Faces of Issues" where differing positions come together to avoid missing an impending deadline on a specific issue. However, here the model focuses again on the various positions of domestic actors who interact according to their location within the decision-making process and in what they consider to be an advantageous area.

The decision-maker's power and his bargaining capabilities have a significant impact in deciding the direction of any decision. To take decisions involves action-channels, where the individuals move inside various contexts organizing certain steps to follow to connect their interests. These decisions are based on rules that create limits within the government, they can be explicit, or implicit, stable or ever changing. In this model, actions are a result of political deals where politics act as an instrument for making-decisions and particular interests are considered.

The Governmental Politics Model characterises the process by deconstructing important variables that can affect the decision-maker. Firstly, knowledge about the environment where decisions are made is necessary. Secondly, the pace of the game which evaluates how actors get attention and demonstrate the importance of their choices to others. Thirdly, where power is shared between individuals with differing levels of power, compromise and persuasion must be used to achieve the results they desire. Fourthly, the proactivity of a decision-maker in showing willingness to persuade is a further factor. Finally, the reward gained by the individual from the successful execution of a government policy outweighs the impacts of the results.

The President, as the final decision-maker, takes advice from different sources, such as staffers (advisors) and Chiefs of specific departments inside the government (presidential semi-staffers), all of which influence the decision-making process (Allison, 1971). The staffers tend to propose alternatives and arguments trying to maximise the presidential sensibility considering his own arguments and possible impact by making decisions. Whereas the chiefs (semi-staffers) conduct politics by themselves trying to keep his options open and deciding as little as possible.

Allison (1971) states that his model gives importance to Schilling's (1962) argument that in governmental politics when dealing with substantial issues it is difficult not to have differences between objectives, alternatives and consequences. Formal decisions can be general or specific and do not always lead to actions as there are difficulties in finding agreement between actors that have influence as no one individual has the power of implementation. However, this leads to uncertainty over its implementation as those in favour can push to action the point, and those not in favour will work to stop it. The government's politics will define the differences between positions, actors, and relative gains from a decision.

To explain the government's politics, Allison (1971) highlights three factors to analyse: "Political Resultants" (factors that intervene in politics), "Action and Intention" (intentions and necessary actions by the government), and "Problems and Solutions" (problems that the government tackles to find solutions). The first category includes the preferences and postures as well as the advantages and disadvantages of individuals who are able to influence governmental actions. It also considers how individuals organise themselves in particular contexts where there are specific circumstances taking place. The second set of factors, intentions and necessary actions, considers the uncoordinated contributions of individuals who have different intentions and will ultimately unify positions towards achieving a result. Finally, problems and solutions are considered, whereby individuals do not focus on finding the solution but rather solving smaller problems which contribute overall, this considers the consequences of each decision and their stakes. Decisions that require significant change can create a bond between leaders who will agree to deadlines, whilst other supporters in the team frame the problem.

Additionally, the postures of officials will depend on their positions in the government. Nevertheless, they carry with them their priorities, perceptions and their social issues. For Allison (1971) it can be considered a vertical system where different demands on policies and implementation are received by the President, from the leaders within

government who are advised and supported by their teams. While the President will already have an agenda, leaders of foreign policy or other officials can inspire his confidence on important issues to be included in the agenda. These actions do not guarantee their inclusion in the agenda, but by forming more powerful coalitions by accepting compromise, it is easier to demonstrate what they are doing is correct, leaving behind uncertainties.

The role of persuading is to show other officials that what is being requested by a leader satisfies the interests of the team, allowing it to be included in the political agenda (Allison, 1971). These requirements need to be vague enough to minimise opposition, yet flexible enough to garner and maintain enthusiasm. Officials need to analyse and decide the key options promptly, and the persuasion needs to gain enough support to allow everyone to swiftly move on to the rest of the agenda.

In the Governmental Politics Model, these wins are negotiated in part through a series of tactics including: misperception, “misexpectation”, and miscommunication. Misperception is outlined as a situation where time is a factor, it limits the clarification of details, which encourages cooperation due to the perception of mutual gains, whilst omitting detailed information. “Misexpectation” and miscommunication can be understood as a further tactic whereby distance is maintained from certain arguments to avoid constraints between the officials who also consider their career longevity and their relative status when acting between short or long-term gains.

Governmental action does not presuppose government intention; for problems and solutions, each player focuses not on the total strategic problem, but on the decision that must be made. The bargaining model explains in detail the governmental relations and interactions that are necessary in order to make decisions in pursuit of national interests. However, it does not consider the interactions with international actors that affect the internal workings of domestic decision-making. Allison (1971) states that another important factor in domestic politics is the foreign policy approach, including and considering the international impact of intranational policies, the domestic objectives shared with international actors, and the different opinions these actors contribute.

The objectives of different national interests are reflected in key policies adopted by a national state. These policies are the result of relations established between domestic and external actors; this thesis posits that discussions with international actors promote progress in different policies implemented within the domestic sphere. Furthermore, this research shows that the scope of domestic policy transcends the external sphere, and that international

actors can position themselves as agents who are able to directly affect government's decision-making. To sum up, this thesis demonstrates that government domestic decisions are affected by both domestic and external connections. For this reason, the Governmental Politics Model can only be partially applied to the case study, for at the same time, it must be considered that international actors also have a fundamental role to play when internal political decisions that have international consequences are being taken.

### **1.1.2 Two-Level Game Model**

The two-level game model illustrated by Putnam (1988) to analyse foreign policy decision-making in this research is appropriate because it focuses on the importance of internal and external interactions for the negotiation of any international agreement. It includes international cooperation, analysing interactions between the two levels bearing in mind their preferences, raising interest, power distribution, coalitions, and trans-governmental alliances. In this research, there is an agreement between the Colombian government and the UN for their contribution to peace negotiations. Both parties had a win-win relationship that can be effectively studied by this theoretical model.

The late-1980s was a time of significant rethinking and dissent in rationalist discourse. In this period, one of the most provocative discussions came with the incorporation of the national level as an essential variable in the decision-making process and the establishment of restrictions relevant to international cooperation in foreign policy. The most relevant contribution to this approach was Robert Putnam's, "Diplomacy and Domestic Politics: The Logic of Two-Level Games" (1988), which detailed the difficulties of state-centred approaches to addressing the dual vector of national and international forces that analyse foreign policy decision-making processes.

Putnam's approach has been known as a two-level game model, striking a balance between national and international actors in foreign policy decision-making, highlighting the study of the interaction between national and international levels, which complements the approaches of Foreign Policy Analysis (FPA). Within two-level game theory, notions of polyarchy, homogeneity, and heterogeneity of preferences at the domestic level deviate from the approach of conceptions of the state as a unitary actor that dominates the *rationalist mainstream*.

Putnam's contribution departed from the exclusionary choice of analysis which have prevailed since the 1950s: agent or structure, in turn seeking to find the analytical points of intersection between the two levels of analysis. For Putnam (1988), international negotiation has two levels: the first is at the external level, which contains an international negotiating table where the leaders and advisors from the negotiating countries sit down and each group seeks to maximise their gains based on internal pressures. At the same time, level two appears, which is the internal one with an internal negotiating table where there are groups lobbying the government.<sup>4</sup>

There are two phases within the negotiation process recognised by Putnam (1988), where there is a tentative agreement at the first level and ratification within Level Two. To achieve this agreement at Level One through negotiation, negotiators make decisions with their internal groups to make foreign policy approval possible for the leader to be committed and able to proceed with ratification.

Putnam's work was influenced by pioneering analysis produced in the 1950s and 1960s by David Singer (1961), Graham Allison (1969) and especially Thomas Schelling (1956; 1960). Schelling's publication: "An Essay on Bargaining and The Strategy of the Conflict", analyses the main internal and symbolic institutional limitations of international negotiations. In addition to these limitations, Putnam rescued Schelling's conjecture: the concept that a negotiator, whose domestic level is heterogeneous or divided into preferences, can show another negotiator how certain concessions would not be accepted by their domestic level, compromising it and making negotiation impractical. In this way, the negotiator could improve his negotiating position, taking advantage of the heterogeneity of internal preferences. Schelling's conjecture therefore proposes that domestic division is an important political resource in international negotiation processes.

The heterogeneity in level two explains the simultaneous interaction of domestic and systemic variables. According to this analysis, internal factors influence international affairs and vice versa. The two levels described above by this model are detailed as follows:

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<sup>4</sup>The participation of domestic actors in level one includes political parties, social interest groups, bureaucracy, etc., who seek to obtain international agreements with external groups by influencing and pushing for an advantage in negotiation. According to Evans (1993), group participation is not uniform in all cases. Especially in level two, group members may be divided depending on the degree of politicisation of the topic, costs and benefits, etc., that comes with the negotiation. At this point, the negotiator must balance internal and external pressures to promote agreements, given the interaction in both levels.

Level I. This level includes negotiations at the international level, where the negotiating parties seek to maximise their domestic interests and minimise the adverse consequences of international processes. At the same time, they try not to antagonise their counterparts so as not to jeopardise international cooperation.

Putnam indicates that, in the foreign policy negotiation process, a tentative agreement or consensus must be negotiated before a decision is made, since at this level a consensus would entail broad gains for all.

Level II. At this level, national negotiations take place, where each domestic group voices its interests, puts pressure on the government and expresses its support or opposition to Level I policies and agreements.

Political parties usually seek power through coalitions with other groups to reach a win-win scenario. At this level, discussions within each social group are separated to see if the agreement will be ratified. The more potential scenarios there are, the more likely Level I is to be achieved.

From this, the leader of the government and their team have a presence at both levels, with the task of making the negotiation viable, balancing interests and managing pressures on both sides. Therefore, the two-level game is presented as an interactive process in which each part must constantly ensure that international negotiations are supported by domestic groups and vice versa. In other words, governments need to satisfy the interests of domestic actors without putting international cooperation at risk. In our specific case study, these levels can be applied considering the negotiations for establishing international cooperation between the UN and the Colombian government. It means that, in the strictest sense, there are no two governments negotiating. However, there are two institutions negotiating: on one side, an international organisation that represents the international community (the UN through the Security Council), and on the other side, a specific country through its government (the Colombian government).

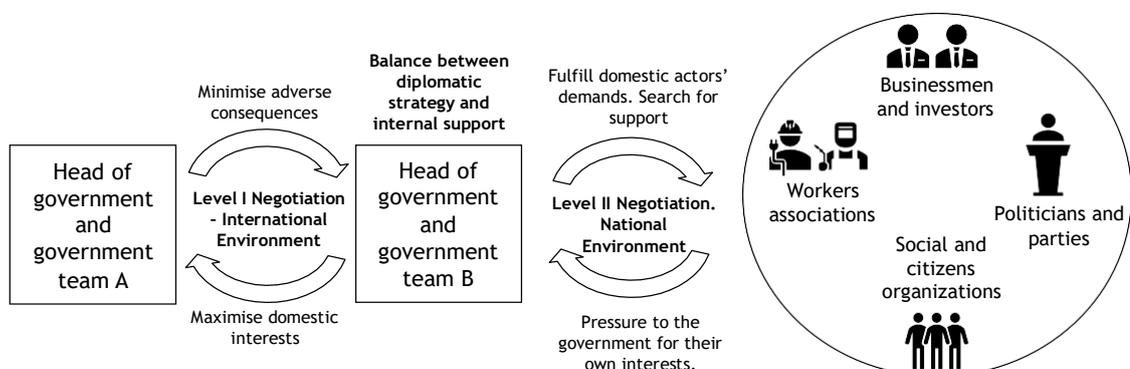
A proper review of the internal policies and international relations of both parties in general emphasise the interests of their institutions and not just the opinion of the official leaders and their teams. These interests are a disjunction that can involve parallel discourses and contradictory policy. On the one hand, one side could proclaim a national discourse,

addressed entirely to internal actors. On the other hand, it may proclaim a different discourse and position it to an international audience.

According to our research, as there are two institutions (the UN and the Colombian government) negotiating international facilitation for the resolution of an internal armed conflict in which there was an insurgency (FARC-EP) negotiating with the government. The negotiation between the Colombian government and the FARC-EP posed many challenges to the UN international facilitation negotiation, however, these could be avoided by sending a UN representative to the negotiating table in Havana. The UN representative provided support by explaining and clarifying the potential role of the UN as facilitator. At the same time, there were Colombian human rights representatives who were able to travel to New York to inform the UN about the Havana peace process and to collect information about the international facilitation advances for the FARC-EP.

This two-level game model argues that participants in the Level I negotiation arrive at the table with a series of negotiating proposals, or *win-set*, which would be ratified at the domestic level by the national actors, see Figure 2. In this way, a broader *win-set* would allow for greater domestic support because it had a high probability of including policies that coincide with national sectoral interests. While a small number of proposals increases the likelihood of rejection or non-compliance with the expectations of national actors, at Level II there are occasions when it is impossible to reach an agreement at the first level (Putnam R. , 1993a, p. 439). In this research the negotiating parties from the Havana peace process agreed to ask the UN to participate with a political mission to facilitate the end of the armed conflict. It means that there was a “proposal” requirement sent to the UN, which the organisation subsequently analysed and decided to support by accepting the invitation.

**Figure 2.** Diagram of the Two-Level Game.



Source: Own elaboration.

According to Putnam (1993a, pp. 443-452) the *win-set* size can be affected by three main factors: First, preferences, power distribution, and coalitions of Level II sectors. Consensus on the ratification of agreements within a country depends on the homogeneity of the actors. If there is greater homogeneity, it is easier for the government to concentrate on the negotiation of the Level I agreement because there is a greater likelihood of it being ratified at Level II. However, if homogeneity is low, negotiators must analyse the interests of each domestic group in order to have the least loss of votes to get a proposal approved. It means alliances are necessary at a domestic level to improve negotiations at an international level.

In addition, political actors at Level II are important, starting with the Head of State who can make formal or informal institutional arrangements with political actors, changing the size of the *win-set*. According to Moravcsik (1993, p. 29), strategies in this regard include: a) manipulating the information that negotiators provide to internal actors; b) strengthening the discipline of the governing party; and c) making secondary payments to win the support of neutral groups; and d) modifying the internal governing agenda. In addition, for this author, the national government may attempt to alter the counterparty's domestic restrictions by seeking support in the other country by either making secondary payments to actors, or offering them economic benefits (this is the case of multinationals), or alternatively, by increasing the cost of treaty approval to these agents. The resource, known as *reverb*, can also be used, which means that actions by a country influence the expectations of social groups about the treaty. It is also possible to use persuasion to change the way the public perceives the treaty.

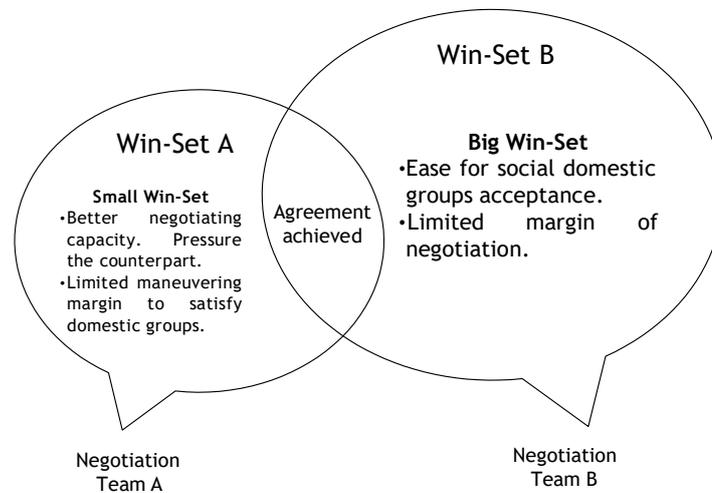
Finally, trading strategies at Level I include expanding the *win-set*, or "relaxing the rules", while the opposite is known as "tying hands" (Moravcsik, 1993, p. 28). A *win-set* with a wide scope allows a greater margin of negotiating space and helps to yield to the counterparty's claims on secondary or even fundamental issues. For its part, the "hand-tying" strategy makes it possible for the negotiating team to push the counterpart more forcefully into focusing on the fundamentals, but the leeway is tight. This strategy is only successful if uncertainty is included, emphasising the counterpart that the *win-set* presented is the one that will achieve the minimum possible votes to be ratified.

As indicated by Putnam, a broader *win-set* allows for greater consensus in the country but weakens its negotiating position at the international level and vice versa. This is because the opposition can push for modifications to other parts of the agreement if they want to negotiate a specific point. The opposite is the case with a smaller *win-set* due to domestic restrictions, in which the negotiating team is more capable of persuading the opposition to

reach a consensus that confirms what has been agreed (Putnam R. , 1993a, p. 441). This has been shown in Figure 3.

It is also important to emphasise that the two-level game may generate alliances or relationships between counterparts to help them to reach consensus or support at Level I negotiations. For Moravcsik (1993, p. 32) these may be transnational alliances or, in the case of political groups, trans-governmental alliances.

**Figure 3.** Negotiation Dynamics in Level I.



Source: Own elaboration.

In the 1990s, more specific works by Frederick Mayer (1992), Grieco (1993), Robert Keohane and Helen Milner (1996), (1997), Matthiesen (2000), Mearsheimer (2001) and Lisa Martin (2001) emerged with variations of Putnam's ideas. It was confirmed that international negotiation was not affected or conditioned by the anarchic structure of the system, as the neorealists and neoliberals insisted (Keohane R. , 1984; Waltz, 1979). Instead, it was important to bear in mind the more powerful and weaker actors' visions about developing strategies for conflict or cooperation. There was serious questioning about the role of relative gains and deception about cooperation.

Mearsheimer (2001) and Grieco (1993) argue that the possibility of cooperation is limited by the uncertainty of the relative impact gained by each negotiating party; for Keohane (1993) and his followers, the incentives for cooperation are improved by the likelihood of subversion which is caused by the absence of a supra-state power in the negotiations. According to Matthiesen (2000), in the context of international negotiations,

there are implications both domestically and internationally that must be explained by the interactions of national and international policy.

We highlight Milner's work as the most systematic and proven empirical-theoretical contribution. She disagrees with Putnam on how to deal with national and international levels in balancing positions to explain incentives and limits to cooperation. There are distribution costs to domestic groups as a new restriction on international cooperation between states, and it is less affected by the fear of relative gains from other countries or traps than by the distributional consequences of cooperative objectives.

For Milner, the domestic level is the *locus* and most relevant level where distribution costs are generated in a social group polyarchy. Even so, Milner does not create a different line of thought to Putnam's, although the role of institutions such as legislatures is better defined. Milner, in her work, describes the relations between the executive and the legislative government branches in the process of international cooperation as an intensely disputed game, a dispute in which the triumph of the preferences of one of these institutions means a loss of the preferences of the other. In this way, these contributions can be considered within the same perspective as the two-level game theory.

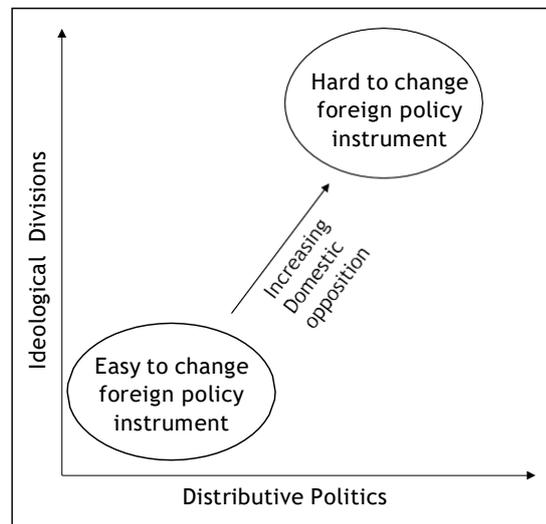
However, Milner and Tingley (2015) present a simple version of domestic and foreign policy processes, which actually have a greater complexity and a large number of actors. They state that the president's position is closer to what they call "*intermestic*"—a portmanteau of international and domestic—that is, a balance between decisions related to international politics and the satisfaction of stakeholders in the country, mainly the congress which can significantly affect or support decisions at the international level. For these authors, the scope of the pressure actors can exert on government varies depending on policy instruments, which can expand or reduce presidential capacity to influence political options.

In this way, given their influence on the outcome of presidential decisions, the authors consider it important to study these policy instruments from the two criteria mentioned above. First, how they affect or benefit interest groups, known as "distributive policy", and secondly, how they affect ideological divisions. This involves three important factors: 1) effects and economic relations of presidential decisions affecting domestic actors and groups, which then exert pressure through congress; 2) how distributional and ideological policies influence legislative actors, especially considering that policies involving broad benefits or losses to domestic groups limit the ability of the President—as they

influence the government and the congress—compared to more moderate distributional policies; and 3) the distribution of foreign policy information within the government.

Regarding the distributional policies and ideological divisions importance, the greater the impact on groups and actors of internal interest, the greater the pressure placed on Congress and the greater the restriction of policy changes. Regarding ideological divisions, the greater the division in a country's society, the greater the likelihood of conflict and opposition to presidential policies. Actors with opposing ideological preferences will tend to restrict presidential action in foreign policy. The greater the presence or influence of both characteristics in a society, the more difficult it is for the government to implement policy changes. This situation is represented in Figure 4.

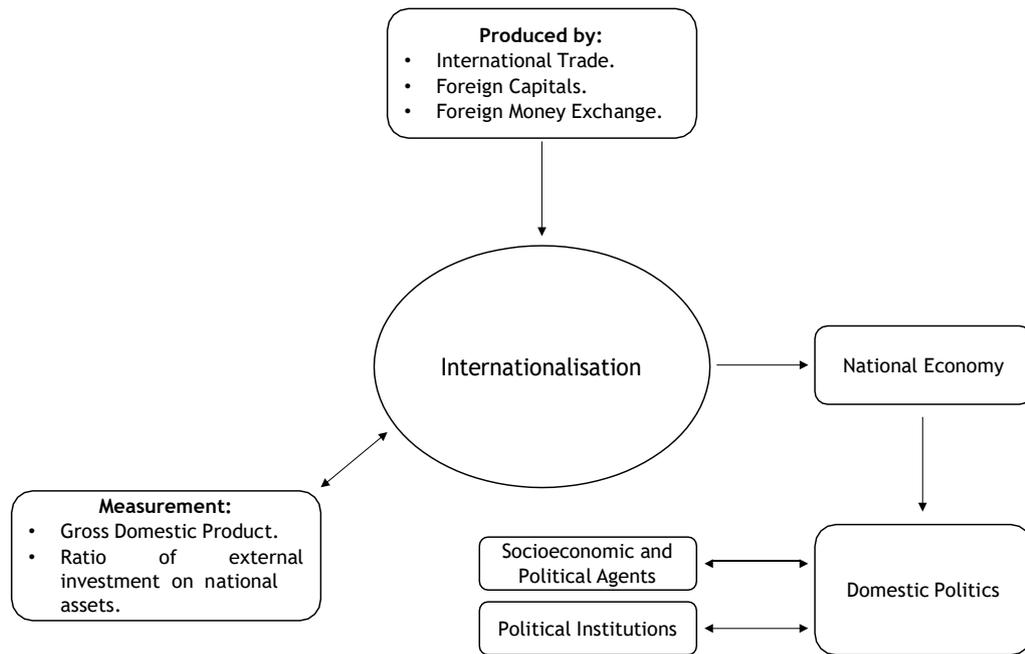
**Figure 4.** Presidential Capacity to Change Foreign Policy Instruments.



Source: Own elaboration.

It is possible to complement these policy instruments with what Frieden and Rogowski described (1996) as a country's domestic policy influenced by internationalisation and two internal variables: the political preferences of domestic socio-economic actors and national policies and political institutions. This concept is outlined in Figure 5.

**Figure 5.** Internationalisation and Domestic Policies.



Source: Own elaboration.

In conclusion, the thesis is in agreement with some works from the late 1970s that established that international forces decisively affect domestic policies and, therefore, external policies of large countries. These visions will complete the “Governmental Politics Model” by Allison (1971), and Robert Putnam’s Two-Level Game (1988). For instance, according to Gourevitch (1978) and Katzenstein (1976), international developments could affect coalitions that created domestic policies that might affect international regimes.

## **1.2. Relationships between the Domestic and the International Arena in the Decision-Making Process**

This section enriches theoretically the models that have been discussed in the previous section. It seeks to develop the analysis on foreign policy to carry out this research in the best way by focusing on the multi-factor characteristics of the decision-making process in foreign policy. Certain topics which help clarify these characteristics are included, such as: domestic interaction, bureaucratic conflicts, policymakers’ pressures and international-domestic connections.

FPA studies the interconnections between foreign and international policy, with an emphasis on the *multifactoriality* of the foreign policy decision-making process. It is not just about international constraints in this national decision-making process, so that the

complexity of interactions between factors is studied, leaving aside simple and deterministic causal relationships to establish deep connections. It is also important to include the study of concepts like globalisation and localisation, which include key variables within foreign policy analysis.<sup>5</sup>

This research is not limited to the study done by the first generation of foreign policy analysis, that considers the comparative analysis of foreign policy through the quantification of data that form simple causal relationships, and which are intended to define correlations between the international behaviour of the analysed country, following the national interest and quantifiable variables (Groom & Light, 1994). In this research, Clarke and White's (1995) studies are considered; these are based on the theoretical perspective of the second generation of FPA.

Referring to the second-generation debate, Clarke and White (1995) mention the nation state vs. bureaucracy, exerting an influence from the bottom-up level, which explains the decision-making process in public policies. This takes into consideration the bureaucratic conflicts that must be resolved in favour of the so-called national interest. This type of study considers a complex system of action, a broad and flexible mechanism within which the relevant variables and the relationships between them are established; considering foreign policy as a system, in which there are *inputs* and *outputs* involved in the process. The *outputs* generated by the policy system are conditioned by influences operated from the outside that may serve simultaneously as *inputs* for it, are national and international factors, are identified as the results and consequences of foreign policy. Additionally, *inputs* are demands that put pressure on policymakers to make decisions, which determine the internal and/or external forces that influence decisions and foreign policy formulation.

For Hudson (2005), in international relations there are several well-defined theoretical lines that study these phenomena such as institutions, systems, group dynamics, and domestic politics. The formidable task of joining these lines was hampered by an insistence on keeping the state as a "metaphysical" actor. By replacing metaphysics with a more realistic conception of the actor, the task of weaving bonds of union becomes possible, albeit complex. International relations are structured within the concept of imagined

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<sup>5</sup> Globalisation, according to Rosenau (1997, pp. 79-86), consists of all those forces that lead individuals, organisations, groups, societies, or governments to pursue similar objectives, or participate in processes, organisations or systems of great coherence and scope internationally. Globalisation is also related to the concept of localisation, consisting of the pressure that leads individuals, groups, organisations, societies, or governments to reduce their horizons and move them away from participating in integrated movements in order to pursue common purposes locally. Globalisation breaks down borders, while localisation strengthens them, but in the end, globalisation presents itself as the dominant force.

supranational communities, which, as Rosenau (1997) argues, are divided into four types: 1) world government (an international government of countries in a similar structure to the federal system); 2) international regimes (union of governments with defined objectives such as arms control, and environmental concerns); 3) regional units (structure of countries of the same region or continent); and 4) the UN system.

The relation between *inputs* and *outputs* cannot be seen from a deterministic angle; according to Clarke and White (1995) it is necessary to analyse in advance the intermediary role of the decision-making process that filters these demands and national and international restrictions. To understand foreign policy, it is necessary to understand the workings of the decision-making processes. For this reason, when research considers the approach of the foreign policy system, the deterministic perspective of *input-output* relations will not be worked out. These relations directly associate the states external behaviour with an *output*; however, the *input* relationship must be considered within the decision-making process as having essentially a political nature, which precedes the production of an *output*.

In order to clearly identify the elements involved in the foreign policy decision-making process, it is necessary to initially determine who the decision-makers are. For Margaret and Charles Hermann (1989; 1990), members of the government are the “final unity of decision”, as they have the authority or leadership to engage society and state resources in the decision-making process. Leaders face two important dilemmas with countless examples in world history: to execute the goals and objectives of the social group without integrating the rest of society or to work together for a greater goal in which all have space for participation.

These leaders can leverage their victory to execute similar dominant policies on their counterparts in retaliation to their historical situation or implement a common dialogue policy for the full development of the country. Rosenau (1997, p. 320) defines “quality of leadership” as one manifested by enterprising leaders who can establish innovative collaborative systems and reconcile diverse interests according to the triumphant moment, declaring that:

Such skills are vital because the tasks of systemic renewal amount to nothing less than institutional bargaining, to fashioning new arrangements for the resolution of conflicts among self-interested parties, each of which has the capacity to prevent, but none of which has the ability to impose, processes that can culminate in the system’s renewal. (Rosenau J. , 1997, p. 320)

This renewal requires a complete integration whereby opportunities can arise for all and treat former adversaries as companions necessary to achieve progress. In this scenario, leaders must have the ability to move between two programmes: the goals that set their triumph in power and renewed aspirations for a broader system. They should also be able to counter criticism of their own support base by easing into their initial goals.

Regarding public institutions, authority, and government, Garret and Lange (1996) argue that in general, public institutions tend to cover the interests of large population groups, so they are fundamental in the joint work of the leaders. Therefore, in relation to authority and public institutions, the authors present four points to consider:

1. Government responses to domestic changes vary according to the type of regime (democratic, authoritarian).
2. The greater the number of institutions that help put base groups in a better position the more susceptible governments are to maintain the power of these institutions.
3. The sensitivity of policies and institutional change in response to a change in social preferences will be inversely correlated to the number of vetoes in the political system. (Tsebelis, 1995).
4. The greater the authority on monetary policies held by independent agencies (central banks), the fewer policy changes will be associated with private sector preferences.

However, the authors note that the above points of analysis assume that the institutional environment in which governments operate is fixed, which raises the following question: What if governments are given the possibility to implement institutional changes in addition to policy changes? This would mean that governments face a dilemma; maintaining short-term power with unchanging institutions or retaining it in the long run through institutional changes. In the first instance, the government guarantees that its power will be stable in the immediate time period; but, without the implementation of the institutional changes that are required, that power will be weakened as time goes on. The second scenario envisages institutional changes giving priority to the retention of power in the long run, despite suffering from power crises in the immediate short-term. Therefore, Garret and Lange (1996) present four possible scenarios regarding changes of political and social character:

1. At a given time (election period), if the increase in the probability of the government maintaining power by applying institutional changes is less than that as a result of making immediate economic decisions, there will be no institutional change.
2. If, in a given period of time, the contribution of institutional change increases the government's likelihood of maintaining power to a greater extent than that as a result of economic decisions, institutional changes will occur.
3. If, over a given period of time, contributions to both decisions independently lead to an increased likelihood of the government remaining in power, no institutional changes will be made.
4. If, on the other hand, contributions from both measures independently reduce the government's likelihood of staying in power, the government is likely to decide to implement institutional changes.

These four scenarios are important in order to understand how governments make decisions regarding their institutional framework, and they should be studied throughout the process of policy development. It helps to analyse how governments make decisions at different levels to implement certain policies in areas that need special attention, or at a national level, considering general conflicts within their societies that demand institutional changes in order to modify deep-rooted political structures.

Pinheiro apud Snyder et al. (1994) reinforces this approach by stating that the decision units are actors or group of actors who have the authority to formulate and implement decisions that are seen as actions of the state. However, despite the authority vested in the final unity of decision, it is clear that this is not the only actor involved in the decision-making process in international politics.

Following the above idea, Milani and Pinheiro (2013) go further, stating that today different domestic actors (such as non-governmental organisations (NGOs), media, and social movements.) come to act directly at the international level depending on private interests or the defence of political causes, often rivalling the state's own power. Therefore, there is a clear connection between international issues and domestic issues, eliminating the division between these two areas. In this way, the authors think of foreign policy as the result of initiatives implemented by different actors (mainly, but not exclusively, the state) in interaction with the international environment. In this context, it is essential not only to

identify the final unit of decision, since the policy implemented will not necessarily reflect its point of view, but also the decision-making process.

There are studies that analyse the entire state's flexibility in the production of foreign policy *outcomes* such as Pinheiro's (1994, pp. 36-37), which determines that there is a broad consensus in which the final decision implies a choice between two or more alternatives. However, there are different views on whether the decision can be identified at a specific point/time, or whether it is a broad process that can be divided into stages.

Brecher (1974) argues that the decision is an explicit act of choice and that it can be located in a defined time and space. However, it also argues that the decision-making process consists of three stages: *input*, *process* and *output* that identify the pre-decision conditions (*inputs*), evaluate the decision-making process phases and then the consequences of the implementation of that decision. Hermann et al. (1987, p. 310) agree with this argument by indicating that each organisation presents moments of decision-making during its lifetime, and that these moments are not easily identified by all those involved in that process. These authors make no distinction between the different stages of the decision-making process, but rather they accept the influence of *inputs* on the decision and the consequences of their implementation.

It is difficult to identify the exact time when an option becomes a decision to be implemented, as argued by Pinheiro (1994). For this analysis, it is more appropriate to fragment the decision-making process to try to identify the sequence of events that lead the decision-makers to this action. This methodological approach allows for due consideration to be given to the process in a more rational way, illustrating the relative importance of each moment for the actors involved. Therefore, the identification of decision-makers should go through the review of all stages of the decision-making process until the policies' implementation. In this way, this research adopted Brecher (1974), and Pinheiro's (1994) approach of considering the entire decision-making process, trying to establish pillars of influence (*inputs*) and conflict, which affect the ultimate unit decision according to their preferences and their impact on the various policies adopted.

As mentioned above, it is important to understand the decision-making process by breaking it down. For that reason, the classification of agents and factors that induce changes in foreign policy and the measurement of the magnitude of these changes are important instruments proposed by Hermann (1990). The author argues that changes in foreign policy can be placed in a *continuum* analysis that would indicate the magnitude of the changes, varying

in the following order: 1) adjustment changes: changes occurring in the level of efforts: a quantitative order; 2) changes in the programme: changes in the level of methods or means by which objectives or problems are addressed: qualitative changes; 3) problem/target changes: changes the problem or objective to which specific policies are focused; 4) international orientation: a change that involves the complete redirection of the country's international orientation, changing not only the country's position on a specific issue or policy, but also its role in the international arena.

The agents and factors classification for inducing changes is important for evaluating different governmental approaches. Historically, different governments in the country have specific approaches to foreign policy; some of them implement changes in their policies that have a dramatic effect, whilst others continue previous programmes by slightly modifying their predecessors' policies. This is why it is important to understand the domestic and foreign policy tactics of previous governments to analyse how changes are implemented by examining the determination of a state's decision-making strategically.

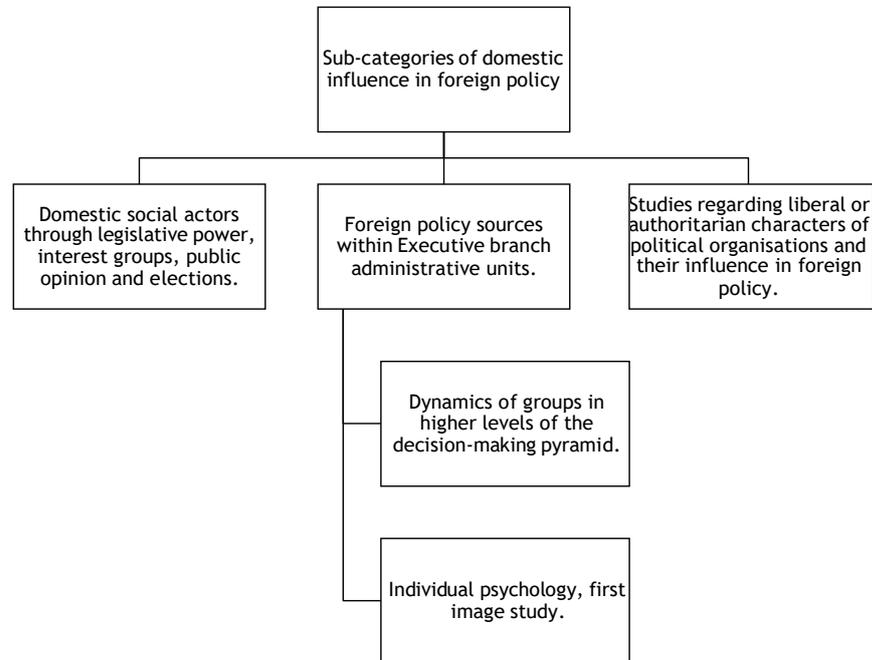
The study of the determination of a state's decision-making in international matters should include the study of foreign policy at all levels in a profound way, as Rosenau (1987) states, it requires the understanding of different variables that affect causal mechanisms.

From the calculations of officials to the pressures of public opinion, from cultural norms to geographical boundaries, from conflicts between different bureaucratic agencies to the pressures of recalcitrant allies, from careful resource mobilisation to the selective use of force, from small-group behaviour to the dynamics of large collective actors, foreign policy students seek to accommodate the pieces of an ever-challenging puzzle. The entire range of human experiences falls within his field of study. No aspect can be neglected or maintained as a constant [...] those who study foreign policy must, by force, address politics at all levels. (Rosenau J. , 1987, p. 1).

These variables affecting foreign policy results should be considered in order to understand the decision-making. It means that the scrutiny of any aspect that interacts during the decision-making process is relevant. It consists of analysing the interrelation between different levels from governmental and non-governmental actors, including their preferences and conflicts that will influence the whole system.

To organise these variables, there are different sub-categories that may help to classify the domestic influence in foreign policy according to Moravcsik (1993, pp. 5-6) represented in Figure 6.

**Figure 6.** Sub-categories of Domestic Influence in Foreign Policy.



Source: Own elaboration.

These sub-categories organise the way in which foreign policy is influenced by the final decision units, and their interaction with the members of different political organisations and non-members of the government. According to Moravcsik (1993), these sub-categories of domestic influence in foreign policy include: domestic social actors affected by institutions and political events, presidential power and the ultimate decision unit members of the Executive branch, including high-profile members of the government and their values and preferences, and finally the character and influence of political organisations. The sub-categories enable us to understand how decisions are made by certain actors who are influenced by other specific actors, events and circumstances. At this point, foreign policy decisions are made by answering internal problems which interact with the international arena.

## CHAPTER 2. Domestic and Foreign Policy Approaches for the Armed Conflict and Peace Negotiations in Colombia

“We will meet again after ten thousand deaths”.

Alfonso Cano, FARC-EP negotiator 1991-1992<sup>6</sup>

“How many more deaths will be needed, until we understand that too many have died”.

*Blowin' in the Wind*, Bob Dylan

“Peace is not the peace of a President, nor a government, but of all the Colombian people because we have to build it together.”

Juan Manuel Santos<sup>7</sup>

The above quotes, although spoken years apart and by different people, all point to the same thing: the urgency of ending the armed conflict and to build peace. The first quote is from the head of the FARC-EP, Alfonso Cano, in 1992, when the peace talks in Tlaxcala, Mexico broke down. The second and third quotes were from President Santos' Nobel Peace Prize speech, the first on what he called a “haunting question” from one of Bob Dylan's most famous songs and the second during the opening of his speech.

This section will present the different approaches towards the armed conflict by previous Colombian governments. It tries to extend beyond the circumstances, considering the different presidents involved in the time frame of each government, and their domestic and foreign policies for the resolution of the armed conflict. Ultimately, the context in which the strategies for resolving the armed conflict were developed is fundamental in understanding the factors that have influenced different governmental outcomes. The Havana peace process decision-making process considered the scope of the involvement of national and international actors in previous peace negotiations, which is the reason for analysing this subject.

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<sup>6</sup> Statement made after the cancellation of the Tlaxcala negotiations by the government of César Gaviria (Santos J. M., 2019a, p. 44).

<sup>7</sup> Statement part of Juan Manuel Santos's speech on receiving the Nobel Peace Prize in 2016 (Santos J. M., 2016).

Analysing the previous negotiations helps us to better understand the steps of the Havana peace process and the decision-making process of the Colombian government. This work will explore how the political decision-making processes were established and contentious issues mediated by the intervention of international actors. This chapter considers the background of the conflict, where knowledge about previous negotiations, as well as national and international experiences, proved important in reaching peace agreements between the Colombian government and the FARC-EP.

This background of the domestic and foreign policy management during the armed conflict in Colombia starts with the statement by the head of the negotiating delegation of the national government, Humberto de la Calle, during the public inauguration of the negotiations, which reinforced the importance of this historical moment.

There is one point on which we agree with the FARC-EP: the end of the conflict is not in itself the immediate achievement of peace [...] The Government has set in motion a bold agenda to bring about profound social changes in our society, considering a progressive agenda. The Government has recognised the inequity and inequality in Colombia, but it is not limited in its diagnosis. Today, there is a transformation of the social reality in Colombia, and the FARC-EP has the possibility to join it, without losing its oppositional beliefs to the system in order to catalyse the processes.

In this agenda we find a wealth of initiatives, such as: land restitution programmes, reparations for victims, rural development on a territorial basis, amongst many others.

[...] That agenda is a good instrument for the completion of Phase 2. On that day, the armed conflict will end, the arms will be dropped, and the phase of simultaneous fulfilment of the obligations begins.

Like I said, is that peace? No, not yet. We're aware of that. The end of the armed conflict is the beginning of peace. To achieve this, we must go deep into the transformation of society. We are ready to seek guaranteed mechanisms that will fulfil these aspirations. (Humberto de la Calle, October 18, 2012 (*Revista Semana*, 2012))

This statement is pertinent to initiate this chapter as it implies that the success of the Havana peace process is due to the consideration of a set of negotiated initiatives that focused on the historical need for a social transformation in Colombia. It highlights the need for continued reform to support the peace process beyond the implementation stage and shows the

willingness of the Colombian government to involve former FARC-EP members in the process.

## **2.1. Background of Internal and Foreign Policy During the Armed Conflict**

Historically, Colombian foreign policy has had two types of relationships, that is to say, the way in which Colombia presents itself to the world is marked by two foreign policy doctrines. This research is about understanding how relations with different countries are carried out internationally, for this reason these doctrines have been studied in the Colombian foreign policy analysis.

On the one hand, Colombian foreign policy is marked by a historical and influential relationship with the US. This relationship is considered under the *Respice Polum* doctrine, which outlines a concept of foreign policy based around looking at the “polar star” or the American superpower. On the other hand, it is also important to understand Colombia’s relationship with its neighbours, which tries to look at similar countries, known as *Respice Similia* doctrine. The *Respice Similia* doctrine was implemented in the late 1960s.

First, the *Respice Polum* doctrine was inaugurated in Colombia during the presidential term of Marco Fidel Suárez (1918-1922). From this period, the country would orient its international relations towards unconditional alignment with the US. According to Marcelo Santos (2010), there were secret pacts with the US during World War II, as well as public support in different international interventions, including the solitary shipment of troops to the Korean War (1951) and the participation in the expulsion of Cuba from the Organisation of American States (OAS) (1962).

Secondly, the *Respice Similia* doctrine was a reorientation of foreign policy in favour of the diversification of foreign relations, during the Carlos Lleras government (1966-1970), as promoted by the Minister of Foreign Affairs Alfonso López Michelsen who would later become President. The concept of *Respice Similia* emphasises the diversification of relationships in a more horizontal way, establishing a South-South diplomacy policy to enable good regional understanding, and looking to similar nations for development.

The background to Colombia’s domestic and foreign policy strategy during the armed conflict can be traced to the beginning of the period of bipartisan violence in Colombia (1948-1958). This time was characterised by a high level of violence between the armed forces and conservative paramilitary groups against liberal self-defence groups

composed mainly of farmers. This conflict was mainly the result of the power struggle between the two traditional political parties in Colombia, with little or no influence from international actors. The latter, after the Second World War, began to be shaped by the ideological, political and economic struggle between the two main military powers: the US and the Soviet Union, who were trying to increase their reach and influence internationally.

### **2.1.1 The National Front and the Fight Against Communism**

In this context, Colombia's foreign policy strategy, aligned with US foreign policy interests since 1918<sup>8</sup> (Santos M. , 2010), reinforced its support for the power in the new scenario of the fight against communism. Therefore, during the Korean War (1951-1954), the Colombian government sent an army battalion in support of the forces led by the US coalition against North Korea, and was the only Latin American country with troops in that war<sup>9</sup>. This collaboration with US troops and the rest of the coalition during the war incentivised Colombian army troops who returned to the country, with a strong ideological belief in support of the American struggle against the phenomenon of communism (Ramírez & Marín, 2015). This belief was then introduced to the rest of the military forces in Colombia. This influenced the military intervention by General Gustavo Rojas Pinilla on the government of Laureano Gómez in 1953, with the justification of restoring public order because of the high levels of violence resulting from the bipartisan armed struggle.

The military government lasted until 1957, when a process of negotiation was structured together with the Liberal and Conservative parties that ended the bipartisan violence and created the so-called National Front (1958-1974). Subsequently, in 1958, military institutions withdrew from political power. Despite this, it is important to note that during this period, the military forces were strengthened as an institution. They were considered guarantors of security through their professionalism and anti-communist ideological indoctrination. This situation occurred due to the close relationship between

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<sup>8</sup> Since the beginning of the 20th century, Colombian foreign policy has been marked by a historical and influential relationship with the US, framed in the doctrine of *Respice Polum* in which Colombian foreign policy looks at the "polar star" or the superpower, the US. During the first years of the Cold War, Colombia was an important recipient of US economic and military aid, while the US saw the country as an important ally and supplier of oil and platinum for its arms race. Primarily, Colombia was an important ally to contribute to US national interests (Santos M. , 2010).

<sup>9</sup> The involvement of a Colombian army battalion in the Korean War was also a result of the Colombian anti-communist mentality. It had its origins in the party war between the Liberals and Conservatives, the Reds and Blues, in which communists were associated with the Liberal party as atheists, whilst the Conservatives had the support of the Catholic Church and some sectors of the military forces fighting to maintain national order.

Colombia and the US, after the promulgation by the US of the National Security Doctrine (NSD)<sup>10</sup> for Latin America against the communist threat in the region.

As a result of the National Front Agreement, other civil political parties were excluded from political involvement and voting representation within the government. This fact, together with the success of the Cuban revolution and the different social and economic situations affecting Colombian citizenship, were the trigger for the emergence of different guerrilla groups between 1964 and the 1970s. The role of the US in diffusing the NSD was remarkable. Colombian military forces, firm to the implementation of that doctrine to fight against the expansion of communism, responded by using coercive actions to ensure national order and interests. At the same time, as there was an emergence of authoritarian military governments in South America, the Colombian military forces – like others in the region – established the armed struggle against the “internal enemy”, represented by the communist guerrilla groups, but also in general against any manifestation of social discontent, which was automatically classified and criminalised as subversion (Ramírez & Marín, 2015). In this sense, an influence from the international sphere energises a specific way of dealing with, and confronting, the armed conflict internally.

The significant international influence in Colombia, represented by the implementation of the NSD by the military forces, the alignment of the Colombian foreign policy strategy with the interests of the US, the triumph of the Cuban revolution, and in general the expansion of socialist ideology, contributed to the implementation of anti-subversive measures in domestic politics by the National Front government,<sup>11</sup> in a limited application of the influence of internationalisation in Colombian domestic policy. Indeed, the military forces were able to establish sustained security strategies and activities during and after the National Front period. There were important declarations of a State of Siege,<sup>12</sup>

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<sup>10</sup> According to Ramírez and Marín (2015), the National Security Doctrine (NSD) for Latin America was one of the variants of the National Security Policy of the US, which reinforced regional security in the framework of the Cold War and the fight against the expansion of communism in the region. This doctrine encouraged the use of coercive actions by the state to ensure the national interest. In this context, security was militarised as a method of establishing security policy in the Americas. In this way, the NSD became the contemporary military ideology with the greatest political impact in the region, Ramírez & Marín apud Leal Buitrago (2015). The doctrine established as strategy for the Latin American states in the fight against the internal enemy, in the Colombian case mainly the guerrilla groups.

<sup>11</sup> In this case, the influence of internationalisation on Colombian domestic policy is justified, the influence of socio-economic actors is minimal. Different governments consider the social claims and discontent of different social groups as manifestations of insurgency, with the same treatment given to guerrilla groups under the NSD.

<sup>12</sup> Colombia's 1886 Constitution, Article 121 enabled the Executive branch to declare the State of Siege as a mechanism of defence and national security. It was justified as a result of defending the country from an external war or facing the need to restore the public order. This stage made it possible for the Executive branch to take extraordinary decisions (Ramírez & Marín, 2015).

which became tools of domination and repression by the military and the state<sup>13</sup> with the justification of restoring public order and ensuring national security (Ramírez & Marín, 2015). From 1965 to early 1976, twelve States of Siege were declared in Colombia in response to the social crises and urban disorder, which led to over nine years of a state of emergency.

## **2.2. State of Siege and Security Enforcement: The Internal Enemy**

Turbay Ayala's government covered the period 1978-1982, meaning that he governed under the last State of Siege that was declared by the previous government at the end of 1976. He was responsible for extending it until the end of his government in 1982, being the only Colombian government at the end of the 20th century that ruled completely under the declaration of a State of Emergency. Some analysts, such as Ramirez & Marín (2015), consider Turbay Ayala's government to be the most authoritarian and repressive of the second half of the 20th century in Colombia. His strategy was based on strengthening security measures of the state in order to maintain normality, the democratic system and to ensure the morals and civility of the country. In his words, the country was threatened by guerrilla groups opposed to these principles.

The strategy determined by the NSD in Latin America was used by Turbay as an excuse to implement severe and repressive policies in the fight against subversion. The strategy gave the military great autonomy to structure and implement government security policies. As a result, the military forces were supported by the State of Siege and the 1978 National Security Statute. These were domestic policies under the auspices of the US that were invigorated and strengthened, using various measures of coercion and the restriction of public freedoms. In response to this strategy, the armed actions of the guerrilla groups increased in frequency and impact, especially the operations of urban militias. Therefore, violence and the armed struggle in the country escalated and the government was unable to achieve stability and control.

The intensification of armed and political violence in Colombia, as well as the authoritarianism and the autonomy of the military forces in the security strategy of the government of Turbay Ayala caused numerous human rights violations (Tokatlian, 1999; Bitar Giraldo, 2007; Valencia, 2013). At the end of his government, Turbay Ayala enabled

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<sup>13</sup> According to the mandate of the NSD and the authoritarian military governments that emerged in Latin America during the 1960s and 1970s.

the monitoring of the Inter-American Court of Human Rights and progressively dismantled the autonomy that the military forces used to have. It culminated in the revocation of the State of Siege that he had maintained throughout his government. In addition, at the request of several political and ecclesiastical leaders of the country, and motivated by the development of events which led to the takeover of the Dominican Embassy by M-19, Turbay appointed a commission to define strategies for a peace process with the guerrilla groups and extended an amnesty for political crimes. This proved unsuccessful as the guerrillas did not lay down their weapons (Bitar Giraldo, 2007; Ramírez & Marín, 2015).

In the context of foreign policy, Colombia had been implementing a strategy that remained constant for much of the 20th century, prioritising relations with the US and aligning itself with US regional interests and support for the US military forces in the Korean War. And secondly, there were Colombia's international political actions against Cuba, opposing its candidacy to the UN Security Council and having a role in expelling that country from the OAS, to finally break relations in the 1960s. This foreign policy strategy, which manifested itself as a state policy over several decades, would be modified just at the end of the National Front period, specifically in the government of López Michelsen (1974-1978).

For Turbay Ayala, the Colombian conflict had been strongly internationalised by the influence of its actors and external factors which placed an unfavourable pressure on Colombia's institutional stability (Tokatlian, 1999). In particular, there was Cuban support for some Colombian guerrilla groups, mainly M-19, to increase urban activity. For Mitchell (1989), this international support is another characteristic that involves the internationalisation of the conflict requested by the guerrillas at that time. In parallel, the war in Nicaragua ended with the victory of the Frente Sandinista de Liberación Nacional (FSLN; the Sandinista National Liberation Front) and there were conflicts in El Salvador and Guatemala, as well as Granada which was ruled by a Marxist government. These international events influenced both opposing sides in Colombia, strengthening the armed struggle and violence.

### **2.2.1 A Forced Pacification**

In this scenario, foreign policy for Turbay Ayala's government began in 1978 with strong support for human rights in the Nicaraguan conflict. The change was based on strengthening foreign policy towards the region and neighbouring countries, especially in the search for

economic emancipation<sup>14</sup> (González Arana, 2004). As a result, Colombia restarted relations with Cuba and adopted a discourse against the Somoza dictatorship, diverting attention to the human rights situation in Colombia. Remembering that Turbay was influenced by the so-called *Respice Polum* foreign policy strategy, aligned to the US, it established a close collaboration with Colombia by providing economic and military support in the fight against the insurgency, ignoring human rights violations.

Turbay Ayala's government implemented a sort of diplomacy for forced pacification,<sup>15</sup> in which the armed conflict was internally handled in an authoritarian manner, but externally aligned with the economic and political interests of the US in Latin America, especially its anti-communist struggle, which was supported by the elite and Colombian institutions.

The Colombian government did not recognise the guerrilla forces of El Salvador as a representative force of the Salvadoran conflict. Finally, Colombia supported the peace mission on the Sinai Peninsula, participated in North Atlantic Treaty Organisation (NATO) exercises, contemplated the installation of a US military base in San Andrés Island (Colombia), and aligned itself with the UK, the US and Chile in the Falklands War.<sup>16</sup> These actions provided the Colombian government with political, military and material support, as well as bank loans and investment from the US and the Western Europe, despite all the allegations concerning human rights violations (Tokatlian, 1999). Similarly, Turbay Ayala's government secured external support for domestic conflict, especially from the US, but this was not enough to ensure the normality of the country or the decline of the conflict.

### **2.3. National Rehabilitation Through Negotiation: First Attempts at Dialogue and to Negotiate with Guerrilla Groups**

In contrast to the internal policy of authoritarianism and the armed struggle against the insurgency of its predecessor, the government of Belisario Betancur (1982-1986)

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<sup>14</sup> The so-called *Respice Similia* included a reorientation of foreign policy and was in favour of the diversification of foreign relations. It was promoted by the Foreign Minister of the government of Carlos Lleras (1966-1970), who would later be the President, Alfonso López Michelsen (1974-1978). The concept of *Respice Similia* emphasises the importance of looking to similar countries, diversifying relationships in a horizontal way. It also emphasises in the importance of establishing a South-South diplomacy policy for a good regional understanding, looking at similar nations in a degree of development.

<sup>15</sup> According to Tokatlian (1999), "Peace Diplomacy is the deliberate management of a country's international relations with the specific purpose of achieving external support for the resolution of an internal war", which does not imply that all diplomacy should seek the solution of a conflict through dialogue, negotiation or agreement. Using this approach, there are three types of diplomacy for peace. Diplomacy for negotiated peace: resolving a conflict through dialogue, negotiation and agreement. Diplomacy for forced pacification: a solution by legitimising greater use of state force in order to defeat its armed opponent politically and/or militarily. Diplomacy by neutralisation: resolving a conflict by isolating external factors.

<sup>16</sup> This fact isolated Colombia diplomatically in the region, because all countries supported Argentine aspirations in the Falklands as a block (González Arana, 2004).

implemented a significant change in peace-making policies through privileged negotiations and a dialogue to reach a solution to the Colombian conflict. Indeed, Belisario Betancur understood the national interest in achieving peace in Colombia through negotiation. Betancur's government focused its strategy on achieving peace through dialogue and policy implementation aimed at eliminating or reducing some of the structural causes that led to the armed conflict. The goals were focused on domestic politics including inequality and social injustice, and economic and political development. The government recognised the political nature of insurgent groups and proclaimed an amnesty law (Law 35 of 1982) and a pardon law (Law 49 of 1985), as well as the implementation of a national rehabilitation plan to improve the negotiations to end the conflict.

Consequently, Betancur expressed the government's intention of democratic openness for the armed actors of the country and created peace commissions that achieved rapprochements with the guerrilla groups, enabling the signing of the La Uribe's agreement with the FARC-EP on 28 March 1984. This agreement covered several points, including the ceasefire, the government's guarantee to the organisation of the FARC-EP as a political entity, the acceptance of its members to the amnesty law of 1982, the discussion of the modernisation of political institutions, land reform and the promotion of peace and its consolidation (Comisión de Paz y Secretariado de las FARC-EP, 1984). A short time later, another peace commission was appointed that secured the signing of an agreement with the M-19, the Communist Party and the EPL on 24 August 1984. This agreement included a bilateral ceasefire, a commitment that the government would enable democratic openness for various political sectors of the country, and the holding of a large national dialogue involving all representatives of Colombian society (Comisión de Paz y Representantes del M-19, 1984). The creation of a commission for national negotiation and dialogue led to a number of ELN detachments separating from the rest of the organisation in 1985 and 1986, and a proration was signed (Comisión de Paz y Destacamentos del ELN, 1985; Comisión de Paz, Estado Mayor de las FARC-EP, Dirección ADO y Destacamentos ELN, 1986).

The peace-making initiatives of the Betancur government had a positive and effective response from the guerrilla groups because of the different strategies that were implemented. In particular, there were proposals for a structural and social transformation through various policies, such as the "rehabilitation plan".<sup>17</sup> These gestures enabled the initial discussions and

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<sup>17</sup> It was a presidential duty to ensure state presence in the marginalised areas of the country. Initially, it was important for the economic and social rehabilitation of the amnestied guerrillas in 1982, during Betancur's government.

generated some agreements with the guerrillas. In addition, the willingness for democratic openness by sharing the power structures to establish a peace agreement empowered the negotiations (Hartzell, Hoddie, & Rothchild, 2001). The President also changed the position of the government, trying to give more focus to the interests of the weaker party—guerrilla groups—in the correlation of forces to structure the negotiation.

However, the Betancur government's efforts and achievements in seeking a negotiated peace encountered serious difficulties that threatened institutional stability and aggravated the national situation of violence. Betancur faced serious opposition from some political parties in Congress for not being included in the peace commissions or not being consulted about the agreements reached with the guerrilla groups. There was a strong discontent among the military forces about the way the agreements were being implemented and the status given to the guerrillas as political actors, for the purpose of negotiation and at some level even comparing them to the military forces (Arias O., 2008; Valencia, 2013). Betancur suffered frequent resignations from members of the peace commissions, so he made efforts to renew his role and include a wider group of representatives of the civil of society.

In parallel to the negotiations held during Betancur's presidency, the violence of paramilitary groups emerged and was consolidated, especially against the Unión Patriótica (UP; Patriotic Union)<sup>18</sup> whose members were systematically killed. The link between drug trafficking and the FARC-EP also became particularly evident.<sup>19</sup> The most significant events, which led to the definitive deterioration of the peace initiatives, were the assassination of the Minister of Justice and the capture of the Palace of Justice by M-19 in 1985. The last act was considered a form of a retaliation by the group, prompted by the government's failure to commit to the agreement signed in 1984.

Consequently, positions contrary to the pursuit of a negotiated peace were strengthened; and, at the end of his government, Betancur changed his negotiating strategy moving back to an armed struggle. Despite this, in late 1985 and during 1986, the government managed to get several parts of the ELN and ADO to join the La Uribe 1984 agreement. In addition, it extended the truce with the FARC-EP, under the requirement for the security and protection of the UP, the revocation of the State of Siege and the incorporation of its

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<sup>18</sup> The political party that was created from the 1984 La Uribe agreement.

<sup>19</sup> According to Tokatlian's (1999) analysis of an army magazine, the link between drug trafficking and the FARC-EP began in 1977 with marijuana trafficking and then it moved to cocaine.

members into civilian life (Comisión de Paz y Destacamentos del ELN, 1985; Comisión de Paz, Estado Mayor de las FARC-EP, Dirección ADO y Destacamentos ELN, 1986).

The reversal of the Betancur government's peace initiatives can be analysed from the point of view of the components of the peace processes described by Saunders (2003). According to this author, effective peace processes combine politics, diplomacy and changing institutional relationships, with broad citizen participation and the actors involved in the conflict. The Betancur government's negotiations did not have broad citizen participation, nor from all actors in the conflict, such as the military, for example, which detracted from the legitimacy of the peace processes, and diminished the likelihood of its implementation. Additionally, there was a lack of participation of the opposition parties in the peace initiatives because the government did not include them.

As seen above, the government of Belisario Betancur made the first attempt to implement a coherent strategy in the pursuit of peace through dialogue with FARC-EP, which was evident in its domestic and foreign policy. However, a complex series of events and situations, such as the entry of paramilitary groups to the conflict, caused the government's peace efforts to fail and led to the escalation of the armed struggle and violence at the end of its term.

### **2.3.1 Negotiated Pacification Policy**

Regarding foreign policy, the government of Belisario Betancur presented a significant change in the relations with the US and the countries of the region. At the beginning of his term, he established a standoff with the US government, which it was evident in his statement that: "Colombia will not be a satellite state of any power" (González Arana, 2004). It demonstrated greater independence for Colombian foreign policy, in stark contrast to the previous government of Turbay Ayala.

Colombia took a more active role in relations with other countries in the region, especially Central American and Caribbean basin countries. Considering the negotiated pacification policy that was implemented during Betancur's presidency, there was a projection of its domestic policy abroad, supporting positions to resolve conflicts in El Salvador and Guatemala through dialogue and being part of the Contadora group.<sup>20</sup> This

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<sup>20</sup>The Contadora Group was a multilateral institution established in 1983 by the governments of Colombia, Mexico, Panama and Venezuela to promote peace in Central America.

influenced the domestic sphere of the armed conflict because victories by guerrilla groups in their surrounding countries would mean a boost for the guerrilla groups in Colombia. The complexity of interactions between domestic politics and the projection of domestic policy in foreign policy was evident with these actions of the Colombian government.

Therefore, Betancur's presidency was likened to a non-aligned movement and the government interceded to renegotiate Latin American foreign debt with the US. In this scenario, diplomatic relations between Colombia and Cuba improved significantly, especially after Betancur's mediation for the departure of Cuban troops from the island of Granada after the invasion by the US. As a result, Fidel Castro, influenced the Colombian conflict, intervened with the ELN for the release of Betancur's brother and reduced his support for M-19. Furthermore, the new foreign policy management also enabled Latin American and European countries to make a possible rapprochement between the government and M-19 in Madrid (1983) and Mexico City (1984 and 1985).

However, at the end of his term, the foreign policy of the Betancur government, as well as his domestic peace policy changed significantly. The difficulties and stagnation in the negotiations with the guerrilla groups, the intensification of armed conflict and the strengthening of drug trafficking, plus the country's economic crisis, returned Colombian foreign policy closer to the US.

The Colombian government's efforts to achieve peace were dismissed by the US. According to the US policy on drugs and with the evidence of links between the guerrillas and drug trafficking, the Colombian government was pushed to approve extradition of drug traffickers in exchange for credits to alleviate the financial crisis and for the provision of military support. Colombia's active role with the countries of the region was diluted in favour of the relationship with the US and its fight against drugs. As a result, Betancur's peace diplomacy started losing strength and shifted towards lighter diplomacy, and gradually towards more forced pacification. The US became one of the main supporting countries for the armed conflict (Tokatlian, 1999). In addition, the US increased its financial and military support for the country, continuing to ignore human rights violations.

The government of Belisario Betancur made the first attempt to implement a coherent strategy in the pursuit of peace through dialogue with FARC-EP, which was evident in its domestic and foreign policy. However, a complex series of events and situations, such as the entry of paramilitary groups into the conflict, caused the failure of the government's peace efforts and the escalation of the armed struggle and violence at the end of his term.

#### **2.4. Reconciliation, Standardisation and Rehabilitation: Towards a National Reconciliation**

From the outset of his government Virgilio Barco (1986-1990), decided to continue the negotiating efforts with the country's guerrilla groups that Betancur had initiated, but through a different strategy than that used by his predecessor. Barco was critical of Betancur's internal policy for resolving the armed conflict, because he felt that his predecessor's strategy lacked clear limits and objectives. For Barco, Betancur provided the guerrillas with benefits and amnesties, which weakened the military forces (Arias O., 2008; Valencia, 2013). Consequently, he decided to increase military operations against the guerrilla groups, while inviting these forces to a dialogue, a policy that he called a "Mano Tendida y Pulso Firme" (outstretched hand and firm pulse) (Valencia, 2013).

Similarly, the strategy of dialogue with armed groups eliminated the concept of peace because it was considered fanciful and an illusion (Valencia, 2013), and it focused on normalising the public situation as an achievable objective, proposing three concepts: reconciliation, standardisation and rehabilitation. Reconciliation involved bringing communities closer to the state and establishing dialogues with the guerrillas; standardisation was aimed to open up democratic participation, and rehabilitation aimed to improve the social and economic conditions in areas of violence, continuing with the Rehabilitation Plan of the Betancur government.

Barco institutionalised the strategy for the resolution of the conflict through the creation of the Counselling of Reconciliation, Standardisation and Rehabilitation (CRNR, Spanish acronym) in 1986, an institution that would be responsible for implementing the necessary policies that would be under the direct command of the President of the Republic. Thus, Barco decided to maintain the extension of the ceasefire from the earlier agreements of Betancur in La Uribe with the FARC-EP, the ELN and Autodefensas Obreras groups (ADO; Workers Self Defense Movement). However, the armed conflict in Colombia continued to escalate and in 1988, M-19 kidnapped Alvaro Gómez, a leader of the Conservative Party. The kidnapping may have been an important factor for the peace proposal launched by the President.

The CRNR formed working tables for peace and reconciliation, with defined itineraries and achievable goals. Through these initiatives, the signing of a commitment between M-19 and the national government took place on 10 January 1989, which implied

the handover of weapons by the guerrilla group. There was a clear possibility of a process of democratisation of the state and society by the government.

The negotiations were held with extensive social participation that would go on to prove successful during the peace process. On 2 November 1989, the national government and the M-19 guerrillas reached an agreement called the “Political Pact for Peace and Democracy” which provided fundamental aspects for achieving national reconciliation. The main points of the agreement included incorporating the guerrillas into civilian life and the creation of a special constituency of peace to ensure the group’s participation in the politics of the senate and the chamber. Furthermore, they established a national peace fund, an electoral reform that supported the parliamentary representation of minorities, a reform to justice, and the creation of a national standardisation council to implement the demobilisation plan and the implementation of pardons (Gobierno Nacional y M-19, 1990).

The implementation of the agreement was dependent upon the approval of a constitutional reform in congress, which was not approved because the issue of extradition was also included. Despite this, President Barco, drawing upon the State of Emergency rules and the pardon law, enabled the political activity of the M-19 militants, who registered their own party: the Democratic Alliance M-19 Party (AD-M19) for the next congressional elections. Their leadership established commitments to presidential candidates in the 1990 elections to endorse the previous agreements. Consequently, on 9 March 1990, M-19 demobilised and handed over arms; and, during the presidential elections, the same year the seventh ballot<sup>21</sup> showing majority support for a new constituent was also voted on.

The success of the peace process and the demobilisation of M-19 was due to the implementation of mechanisms for negotiating peace. The M-19 negotiation process included the participation of citizens and social groups, as well as members of political parties and members of congress. In addition, the government raised changes in several institutions and issued decrees to enforce the commitments made in the agreements. The government also opted to continue the work of social transformation and to try to resolve the structural causes of the conflict. Finally, M-19 had the possibility to participate in the congressional and Presidential elections in 1990, which meant opening up the power structure for democratic involvement.

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<sup>21</sup> The seventh ballot was a vote that emerged as a student initiative during Colombia’s official elections in March 1990. In these elections, six ballots would be included, that of Senators, Representatives to the House, Mayors, Deputies, Governors and Councillors. Then, the seventh ballot was an additional vote, to introduce the requirement for a National Constituent Assembly to modify the Constitution of Colombia.

The development of dialogue that resulted in the demobilisation of M-19 prompted the EPL, Partido Revolucionario de Trabajadores (PRT; Workers Revolutionary Party) and the Movimiento Armado Quintín Lame (MAQL; Quintin Lame Armed Movement) to make approaches to the CRNR to try and achieve pre-agreements with Barco in 1990. However, during Barco's Government, despite the peace efforts, demobilisations, and reduced violence, the armed conflict in Colombia did not stop, as the government failed to protect former guerrillas. At the end of Barco's presidency, more than 300 of the members of the UP were killed, three presidential candidates and members of political parties were also murdered officially by paramilitary forces (Gobierno Nacional y Ejército Popular de Liberación, 1991; Gobierno Nacional y Partido Revolucionario de los Trabajadores, 1991; Gobierno Nacional y Movimiento Armado Quintin Lame, 1991).

#### **2.4.1 Collaborative but Divergent Diplomacy**

The Barco government presented significant foreign policy changes compared to its predecessors, although it continued to maintain some characteristics of the Betancur government in relation to regional countries. One of his foreign policy priorities was to establish and strengthen formal and cordial relations with all governments with consideration to economic interests, leaving aside ideological differences while respecting the sovereignty and autonomy of each country. Therefore, he established relations with different countries in Asia, including authoritarian regimes such as North Korea or socialists such as China, and with several African countries. However, he focused his efforts on strengthening Colombia and Latin America's relations with Europe.

Foreign policy of the Barco government, particularly in the region, was based on diplomacy for neutralisation (Tokatlian, 1999). Barco focused on Colombia's active role in the Central American conflict, as a way to disengage from the Colombian conflict. He supported negotiated exit attempts to these conflicts, and thus contributed to the resolution of conflicts in Nicaragua and El Salvador. Despite this, his government kept Colombia in the non-aligned country category, strengthening relations with Cuba and continuing the policies of the Betancur government on that issue. In general, he continued a Latin American policy focus for Latin American unity and was concerned about the Cuban reintegration into the OAS.

Colombian relations with the US were structured as selective cooperation (González Arana, 2004), i.e. Colombia improved its relations with the US in the fight against drugs, in

return for credit and military aid like in the previous government. However, Colombia simultaneously tried to maintain some independence from US diplomacy, as demonstrated by the way in which Colombia voted against the US invasion of Panama and the US intervention in Libya when it had a seat on the Security Council. In addition, Colombia also made efforts to integrate Cuba into the OAS and sought to rebuild relations with this country. In summary, Colombia maintained a collaborative but divergent diplomacy with the US, which did not detract from US support against drug trafficking.

Facing worsening national public mood in the country, Barco decided that it was appropriate to turn to international activism and diplomatic autonomy from the US. As a result, he created the Presidential Council for Human Rights as an attempt to accept the serious situation facing the country and to seek international cooperation to resolve the issue. This was a consequence of the peace agreement reached with M-19, in which countries of Western Europe expressed their support to the Council about the serious political and social situation in the country. There was clear and significant international support, and the supporting countries were aware of the Colombian institution, and guaranteed trade preferences with Europe in the early 1990s. It can be said that the diversity of diplomatic relations strengthened support from Europe and Latin America, including diplomatic ties with Cuba that enabled the subscription of a trade preference agreement and facilitated the support for the peace dialogues with M-19.

## **2.5. Integral Warfare and Sharing the Power: Setbacks in the Negotiation's Process**

In 1990, the Liberal candidate César Gaviria, who was a minister in the government of Virgilio Barco, won the Presidential election for the period 1990-1994. Political violence and drug trafficking were affecting all members of society including: the military, politicians, journalists, and entrepreneurs. Gaviria continued with Barco's internal conflict policy, but maintained the military offensive, called "Integral Warfare" (Valencia, 2013). He gave a boost to peace efforts by convening the Constituent Assembly in 1991 and called for the election of delegates to the Assembly. Gaviria intended to endorse the agreements reached by the government of Barco with M-19. M-19's decision to lay down arms and to participate in the political construction of the country was supported by the citizens who, in the elections for the Constituent Assembly on 9 December, gave the AD-M19 a third of the total votes, totalling over 500,000 (Grabe, 2004).

The government, aware that the Constituent Assembly was an excellent opportunity to reach agreements with other guerrilla groups, strengthened and accelerated efforts that had begun at the end of the term of President Barco. Consequently, the government came to sign peace agreements and achieve the demobilisation of the PRT,<sup>22</sup> the EPL<sup>23</sup> and the MAQL.<sup>24</sup> The government founded a representation of all these organisations in the Constituent Assembly and initiated other commitments such as those concerning the reintegration of combatants, guarantees for the development of productive projects, and the monitoring of the agreements. According to Leguízamo (2002), the handover of weapons and measures that transform and bring prosperity to the population are the concepts that consolidate peace, in that sense, the Constituent Assembly was shown as the setting for implementing such measures.

The participation of former armed actors in structuring the Constituent Assembly as part of the power structure of the Colombian state was the final impetus that enabled the consolidation of the peace processes with various guerrilla groups. The Constituent Assembly enabled a large representation of citizens to modify the basis of Colombian institutions, including diverse thoughts and concepts on how best to rebuild the state. The Constituent Assembly was not a result of the fragility of the government to keep power, nor as the result of a crisis of institution, in fact it was the demand of normal citizens to consolidate peace through the political participation of armed groups. Therefore, even though the Liberal party retained the presidency in the next presidential term, according to the enactment of the constitution, the change in institutions did not fully follow the argument of maintaining power and, in fact, represented a national interest for seeking peace.

In April 1991, a command formed by ELN, FARC-EP and EPL dissidents from the Coordinadora Guerrillera Simón Bolívar (CGSB; the Simón Bolívar Guerrilla Coordinating Board)<sup>25</sup> were motivated by the political context of the Constituent Assembly and the refusal of the Gaviria government to enter into negotiations with them. This resulted

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<sup>22</sup> In the agreement signed on 25 January 1991, a PRT spokesman had his presence granted at the Constituent Assembly without the right to vote (Comisión de Paz y PRT, 1991).

<sup>23</sup> In the agreement signed on 15 February 1991, two EPL spokesmen had their presence in the Constituent Assembly granted and would later become permanent delegates (Comisión de Paz y EPL, 1991).

<sup>24</sup> In the agreement signed on 27 May 1991, a permanent delegate of the MAQL was assigned to the Constituent Assembly, with the possibility of requesting the power to vote (Comisión de Paz y MAQL, 1991).

<sup>25</sup> CGSB was a group that sought to unify the actions of several guerrilla organisations in Colombia from 1987 to the early 1990s. It included Fuerzas Armadas Revolucionarias de Colombia—Ejército del Pueblo (FARC-EP; the Revolutionary Armed Forces of Colombia—People's Army), Ejército de Liberación Nacional (ELN; the National Liberation Army), Ejército Popular de Liberación (EPL; Popular Liberation Army), M-19—Movimiento 19 de Abril (the 19th April Movement), Partido Revolucionario de Trabajadores (PRT; Workers Revolutionary Party) and the Movimiento Armado Quintín Lame (MAQL; Quintín Lame Armed Movement).

in them forcefully taking over the Venezuelan Embassy in Bogota. The group's aim was to request mediation of the Episcopal Conference and the government of Venezuela among other countries and to establish conversations (CEDEMA, 1991; Serpa, 2019). In May 1991, there was a first meeting with the government in Arauca and subsequently the formal negotiations began in Caracas.

As stated by the Colombian Senator, Horacio Serpa (2019), in an interview for this research, the development of the negotiations did not enable a final agreement before the end of the Constituent Assembly's deliberations. The negotiations were extended from 1991 to 1992, moving from Caracas to Tlaxcala in Mexico. Finally, after major disagreements between the two delegations and following the death of a former minister and the kidnapping of a senator by the EPL, the dialogues were cancelled. Alfonso Cano, spokesman for the FARC-EP at the negotiating table, regretted the cancellation and the deaths in the country, setting out the quote that begins this chapter. As a result, the Tlaxcala negotiations failed mainly because of the lack of a ceasefire agreement and handover of weapons between the parties. During this time the violence in Colombia increased, there was a strengthening of the guerrillas, and the drug trade disrupted public order and increased the violation of human rights.

As part of the government's comprehensive war strategy and the failure of mediation with the FARC-EP to start negotiations with the government,<sup>26</sup> Gaviria ordered an attack on the FARC-EP camp on the same election day of the delegates to the Constituent Assembly. It ended the agreement of La Uribe that had been signed by the government of Betancur, and the demilitarised zone where the organisation of the Secretariat of the Central High Command<sup>27</sup> used to be located. This attack on the guerrillas, the failure of negotiations of previous governments and the systematic killing of members of the UP created mistrust in amongst the FARC-EP to make any agreement with the government.

As mentioned above, during Gaviria's government several initiatives were implemented to facilitate dialogues with guerrilla groups. In 1991, as part of the signing of the agreements with the PRT, EPL and MAQL, the President, together with Humberto de la Calle, created the Advisory Commission for Reintegration. In 1992, he promoted the role of CRNR in the pursuit of peace, calling it the Council for Peace. At the end of his Presidential term in 1994 the President's policy of dialogue during the armed

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<sup>26</sup> Under Gaviria's permission, a Patriotic Union commission was sent as a mediator to conduct talks to lead to an agreement.

<sup>27</sup> The superior organism of direction and command of the FARC-EP.

struggle led to demobilisation agreements with Corriente de Renovación Socialista (CRS; Current of Socialist Renewal), Milicias Populares de Medellín (Medellin Popular Militia) and Frente Francisco Garnica de la Coordinadora Guerrillera (the Francisco Garnica Guerrilla Coordinator Front).

### **2.5.1 Peace Diplomacy and Neighbouring Countries' Cooperation**

Gaviria's foreign policy continued the diplomatic strategy of his predecessor Virgilio Barco, in terms of prioritising economic relations regardless of ideological differences with other governments. It tended to maintain a neutral attitude when facing political conflicts with other countries. In the context of the dissolution of the Soviet Union and the opening of the former socialist bloc, the government expressed its readiness to approach this group of countries. It was a tentative draw down of the ideological barriers that had separated Colombia from these territories.

The President carried out the internationalisation of the Colombian economy, led by Juan Manuel Santos, who was Minister of Foreign Trade at the time. Gaviria promoted Colombia's inclusion in the Association of Caribbean States, where they worked to establish a free trade area in the Caribbean. It resumed trade and diplomatic relations with Cuba, increasing bilateral trade with the island and reaffirming relations with the Caribbean. Diplomatic efforts on international cooperation and relative autonomy from the US alienation enabled Colombia to be elected President of the Non-Aligned group in 1994.

Gaviria's government also continued Barco's policy of distinguishing Colombia's internal conflict from those conflicts in Central America. Therefore, the Colombian government was part of the group of countries that contributed to the signing of peace in El Salvador in 1992. Additionally, Colombia was requested by the government of Guatemala to be one of the partner countries under the framework agreement to help to reach an end of the conflict. The revival of diplomatic relations with Cuba also aimed to receive Cuba's support in Colombian efforts to achieve the resolution of the internal conflict. For Gaviria, Colombian peace diplomacy needed to be fully consistent with the interests of internal peace, looking for the willingness to resolve conflicts through dialogue, respect for pluralism, the defence of fundamental rights, and a commitment to the values and principles of democracy (Tokatlian apud Gaviria, 1999).

Diplomatic efforts to achieve peace also took place with the governments of Venezuela and Mexico in order to bring the CGSB to the negotiation table in Caracas and

Tlaxcala. These were the first Colombian negotiations developed abroad. Despite this, the negotiation process was entirely Colombian, limiting the collaboration of foreign governments.

However, public order in Colombia deteriorated during Gaviria's government. The war against drug trafficking and specifically against Pablo Escobar, as well as the upsurge in the actions of paramilitary groups, and the assassination of political leaders, aggravated the human rights situation in Colombia. In that context, the US continued to financially support Colombia by providing more credit and also more military cooperation. European countries, continued to support Gaviria's government, but expressed concern about the unprecedented violence in the country and the institutional fragility of the Colombian state. At the same time, Latin American countries were preoccupied by the Colombian situation and they were fearing it would spread to other countries in the region.

Gaviria's peace diplomacy remained invariably in favour of being neutral, even though the government agreed to the demobilisation of several guerrilla groups whilst simultaneously striking out with a military offensive against them. The foreign policy strategy focused on eliminating the influence of regional conflicts within the Colombian conflict, improving regional and international relations. But, as mentioned above, continuing to align itself with the US in the fight against drug trafficking.

## **2.6. Comprehensive Dialogue in Times of Institutional Crisis: The Citizen's Mandate for Peace**

President Samper was elected for the period (1994-1998), with a strategy for domestic policy that was defined from the outset of his government to change the comprehensive war policy that came from the Gaviria government. At the beginning of his term, he created the figure of the High Commissioner for Peace, ending the CRNR from the government of Virgilio Barco.

Through other decrees that had been delivered during his term, Samper created the Commission for Peace Action and inaugurated measures to reinforce the goal of demobilisation of the FARC-EP, the ELN and paramilitary groups through negotiation. However, Samper's efforts in this regard were cut short by the significant loss of legitimacy and credibility faced by his government. The President had been investigated for the influx

of money to his campaign from drug trafficking, known as the “Process 8,000”.<sup>28</sup> As a result, Samper was not able to achieve important peace outcomes, especially during the first year of his government, where no progress was made concerning peace-making with the guerrilla groups.

As a result, in 1995, a large civil society group decided to form a Peace Facilitating Commission to initiate negotiations with the guerrilla movements. Supported by the departmental government of Antioquia, the Antioquia Peace Facilitating Commission was created, which was authorised by the central government to conduct exploratory approaches with illegal armed groups. The government decided to set up a National Conciliation Commission in 1995. In the elections of October 1997, civil society provided over 10 million votes in favour of a citizen’s mandate for peace, prompting President Samper to create the National Peace Council in 1998.

From 1995, the government and the FARC-EP established contacts to create the conditions for initiating negotiations for a possible peace agreement. The FARC-EP demanded a demilitarised region from military operations in the municipality of La Uribe in Meta as a necessary condition to begin negotiations. However, the government did not accept this demand and proposed other small areas to be declared demilitarised in other municipalities. The FARC-EP responded by demanding a larger number of municipalities, in what seemed a clear lack of readiness to negotiate. As a result, there was no consensus on the possibility of a negotiation between the government and the FARC-EP.

Following the kidnapping of OAS delegates in Colombia by the ELN, the National Conciliation Commission and the Antioquia Peace Facilitating Commission mediated for the release of these delegates. The intermediary role of these groups made the approaches between the Samper government and the ELN possible. It led to a commitment to establish negotiations in Spain. A peace process was then started between the government and the ELN following an announcement by the parties in 1998 in Germany, at the end of Samper’s presidency.

In July 1998, the national government, in collaboration with the governorate of Antioquia and the Mayor of Medellin, reached a demobilisation agreement with the insurgent group Movimiento Independiente Revolucionario Comandos Armados (MIR-COAR;

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<sup>28</sup> It was a judicial investigation into allegations that candidate Ernesto Samper partially financed his 1994 presidential campaign with drug money. The name “Process 8000” was the file number attributed by the Office of the Attorney General.

Independent Revolutionary Movement of the Armed Commandos), which became one of the most significant, positive events of Samper's government.

The country's situation of political and social violence worsened. There was an increase in human rights violations by guerrilla and paramilitary groups, as well as a huge number of deaths, displaced persons and missing victims of the conflict. The military forces suffered numerous attacks by the guerrillas, with many deaths and kidnappings of military personnel. The democratic institutions in Colombia suffered the consequences of corruption and drug money was used to corrupt the justice system. It resulted in an increase in the number of deaths from violence, increased drug trafficking and alliances between the cartels and the guerrilla groups.

### **2.6.1 Peace Diplomacy amidst Legitimation Crisis**

The Samper government's strategy on foreign policy was characterised by a lack of a strong diplomatic agenda. Colombia experienced a deterioration in its relations with other countries, especially the US. President Samper inherited the No Aligned presidential foreign policy from the Gaviria government, and his leadership did not have a clearly defined approach to the US, which included the international backdrop of the fall of the Soviet Union and a new international order.

The Colombian government's relations with the US government deteriorated significantly due to the "Process 8,000" scandal. It prompted Colombia to lose authority over drug control. Despite this, the US continued to cooperate with the Colombian government against drug trafficking. Samper's government made an unsuccessful effort to restore relations with the US government, whilst neglecting relations with other countries in the region (González Arana, 2004).

Peace diplomacy focused on seeking international support from some countries, with strong intentions, but undefined roles, in the rapprochement between the government and guerrilla groups. This diplomacy for peace won the support of Spain, Germany, Mexico, Costa Rica and Venezuela to initiate a dialogue with the ELN. However, the actions of these countries within the possible negotiation with the ELN were not clearly defined. The serious problems with human rights in Colombia and the fragility of the state were of great concern to Europe and the UN, who decided to open an Office of the High Commissioner for Human Rights (OHCHR) in Colombia.

During Samper's government, the Colombian conflict was internationalised, mainly due to the following factors: the presence of the Office of the UN High Commissioner for Human Rights in Colombia, which corresponds to an internationalisation of humanitarian interests according to Garrett (1999) and Boettcher (2004). The indirect intervention of the US with financial assistance and military cooperation with the Colombian government to fight drug trafficking – one of the signals that the conflict overflowed beyond the country's borders (Salehyan, 2009).

President Samper ended his government with few results towards resolving the armed conflict, nor an international policy aimed at peace that could lead to a mediated solution. The relations with the US were at their worst; the Colombian state was weakened, and human rights violations increased.

## **2.7. Negotiating Peace without Real Commitment: International Strategy for the Resolution of the Conflict**

Andrés Pastrana was elected President of Colombia after putting together a campaign strategy that interpreted the national interest for peace during the 1998-2002 period. He tried to consolidate his campaign strategy to increase the chances of being elected President by meeting with the FARC-EP commander Manuel Marulanda and pledging to start peace negotiations with them if he was elected.

President Pastrana's domestic policy considered the quest for peace and the overcoming of armed conflict and violence as being obviously in the national interest. He maintained the position and functions of the High Commissioner for Peace<sup>29</sup> created by Samper and created a national dialogue and negotiation table, as well as a national thematic committee (Valencia, 2013). To begin peace negotiations with the FARC-EP, it was decreed in November 1998 that the demilitarised zone was to be extended across five municipalities.<sup>30</sup>

The demilitarised zone was a precondition of the FARC-EP to negotiate with the new government for the safety of the Secretariat of this group. This area was larger than the demilitarised zone requested during Samper's government. The decision to demilitarise such space<sup>31</sup> was deemed necessary by President Pastrana in order to achieve a peace agreement.

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<sup>29</sup> The High Commissioner for Peace is part of the Council of Ministers of the Presidency. His role is heavily focused on the promotion of peace and international aid.

<sup>30</sup> A territorial area without the presence of the Colombian state ceded to the FARC-EP for its concentration to advance peace dialogues in San Vicente del Caguán, La Macarena, Vista Hermosa, La Uribe and Mesetas, Colombia.

<sup>31</sup> After Samper's government, the Colombian government had less territorial control than the paramilitary and guerrilla groups. In addition, drug-funded guerrilla groups had tipped the balance of the correlation of forces in their favour.

It was a matter of national interest, supported by over ten million Colombians and became President Pastrana's main policy. The negotiations began with the assignment of the first negotiating team by the government, the accompaniment of a Commission of Friendly Countries and the representative from the UN Secretary-General.

President Pastrana and Marulanda were supposed to meet at the opening ceremony of the peace negotiations in San Vicente del Caguán. However, the leader of the guerrilla never came, leaving the chair next to the President empty. This projected the image of a lack of commitment from the FARC-EP to reach a peace agreement (Segura & Mechoulan, 2017; Santos J. M., 2019a). This episode was overshadowed by President Pastrana, and negotiations continued in the demilitarised zone in the middle of an armed conflict between the negotiating parties. In May 1999, the first negotiating team appointed by President Pastrana reached a framework agreement with the FARC-EP. This agreement set out the foundation for negotiations. It was called "common agenda for change towards a new Colombia". There were established negotiating agendas, with twelve issues divided into a total of forty-eight sub-themes, including the country's economic model, reforms to the institutions of state and to the political and justice systems. After reaching the framework agreement for the negotiation, President Pastrana appointed the second negotiating delegation from the government with the intention of bringing forward the most critical issues of the peace process. At the same time, the President and FARC-EP toured Europe to gain support from the international community.

Despite these efforts, the peace process made no major progress. Negotiating in the midst of an armed conflict and sheltered in the demilitarised zone, the FARC-EP were further reinforced. There were allegations about the use of the demilitarised zone for coca crops (Leguizamó, 2002; Segura & Mechoulan, 2017). The guerrillas attacked in force, occupying military outposts and police stations, and kidnapping members of the military and civilians. Simultaneously, paramilitary groups also strengthened and consolidated their dominance in different areas of the country.

The national government sought to advance the agreements, largely via a ceasefire and humanitarian agreements that would reduce the impact of the conflict. For their part, the FARC-EP pressed the government to extend the duration of the demilitarised zone, while increasing their hostility and demanding the end of the paramilitary groups and humanitarian redemptions from the government. In September 2000, President Pastrana appointed a new negotiating team composed mainly of members of the Liberal party and the Church.

Due to difficulties in reaching a consensus, intensified by armed attacks from both sides, negotiations were frozen several times. The resumption of a dialogue was made possible, due to the efforts of the international community through the Commission of Friendly Countries, and in particular the informal easing of the role of the UN Secretary-General's Special Envoy. It was against that backdrop that the parties signed an agreement in which a commitment was made to accelerate the negotiations which included, to conduct a humanitarian exchange, agree a ceasefire, eradicate illicit crops, invite international actors to facilitate the resolution of the conflict, fight against the expansion of paramilitarism and reduce the intensity of the conflict.

Following the agreement, the parties secured a humanitarian exchange of imprisoned, injured and sick guerrilla members for kidnapped members of the military. At the same time, spaces were created for citizen involvement within the demilitarised zone. It was opened to different social groups and members of the community in general who could share their proposals for the peace process, which were used by the FARC-EP for political promotion (Leguízamo, 2002).

In June 2001, President Pastrana established the last negotiating team with the FARC-EP, seeking to force concrete advances on the ceasefire and hostilities (Arias O., 2008). Despite this, peace negotiations were interrupted indefinitely, and the demilitarised zone cancelled in February 2002. As a consequence, there were several FARC-EP attacks on the country's electrical infrastructure and the group hijacked a plane to capture a senator of the republic.

The Pastrana government, consistent with its internal policy, in the search for a negotiated peace, also developed dialogues with the ELN. It tried to continue the initial rapprochement process undertaken during Samper's government. In October 1998, President Pastrana appointed a negotiating commission to meet the ELN; his government was looking to establish the principles for a peace process. In practice, dialogues with the ELN did not show any significant progress and were suspended after an attack by the group. The dialogues remained frozen until 1999, when members of civil society offered their cooperation to President Pastrana in order to restart the dialogue. This group was appointed by President Pastrana as a civil mediating commission for the peace process with the ELN and managed to collect proposals for initiating peace negotiations. A meeting area was agreed between the parties in southern Bolivar department (northern Colombia), but this was rejected by the community under pressure from paramilitary groups (Arias O., 2008).

International actors also participated in the ELN negotiations with the Commission of Friendly Countries that managed to facilitate a dialogue between the parties and mediate some situations when the negotiations were almost cancelled by the ELN. However, after several suspensions, negotiations with the ELN were cancelled by Pastrana's government. The failure of these dialogues was largely due to an impasse with the ELN, but also because of the lack of national political support, mistrust in the groups and pressure from the paramilitary groups that were strengthened significantly during this period (Arias O., 2008).

At the end of Pastrana's government, and after the poor results in achieving a peace agreement with the FARC-EP and the ELN, the country was experiencing a security crisis. The FARC-EP was significantly strengthened in the demilitarised zone and had increased its number of fighters by over 20,000, as well as the number and intensity of armed actions (Leguizamo, 2002; Santos J. M., 2019a). Similarly, the paramilitary groups increased their troops and consolidated their dominance in some regions of the country, they also intensified the war against guerrilla groups and attacks on civilians (Arias O., 2008). According to Sergio Jaramillo, High Commissioner for Peace during the government of Juan Manuel Santos (2010-2018), all these situations led the Colombian state to become a failed state (Jaramillo, 2017).

In terms of foreign policy, Pastrana's government based its entire international strategy on a negotiated peace diplomacy, seeking maximum international support for the resolution of Colombia's armed conflict. This focus on international relations was motivated by the citizens' mandate for peace, which forced him to seek a negotiated solution to the conflict.

In addition, Colombia's armed conflict and drug trafficking problem had expanded beyond its national borders into neighbouring countries: Venezuela, Brazil, Peru, Ecuador and Panama. The serious deterioration of public order in Colombia spread into these countries through the presence of illegal Colombian armed groups in their territories, the displacement of Colombians seeking asylum and protection against massacres and murders, as well as the use of drug routes. The overflow of the conflict beyond the borders had a destabilising effect on the region; according to Trujillo Currea (2012) the Colombian conflict was internationalised, which required the cooperation and accompaniment of neighbouring countries to overcome it. The systematic violation of human rights, the growth of paramilitary groups and the escalation of the conflict, as well as the increase in cocaine use in the US and Europe, also piqued the interest of the EU for a negotiated solution.

There was great international support for both peace processes. The role of the international community was essentially to inform about the progress at the negotiating table, because one of the conditions for the negotiation was that it should be conducted directly between the parties. As mentioned earlier, friendly countries and the representative of the UN Secretary-General acted as facilitators in various crisis situations during the process and for humanitarian exchanges. European countries, in particular, managed to channel resources for a possible agreement that would allow for the reintegration of FARC-EP fighters into civilian life and the reduction of coca crops as a necessary condition (Tokatlian, 1999).

The invitation from the government of President Pastrana to the international community to participate in the negotiations was a necessary strategy to achieve in advance of the peace efforts. However, this strategy was implemented erratically because it did not define a scope or function, meaning that the friendly countries that were participating in the Caguán peace process were not clear about their role in the negotiations. Generally, they did not have experience in this kind of negotiation and were assuming the positions that they considered to be the most appropriate.

Some friendly countries decided to distance themselves from FARC-EP because of their armed actions. This showed an obvious lack of commitment to advance in the negotiations (Ramírez Ocampo, 2004). Finally, the parties involved in the negotiations focused much of their efforts on informing and seeking approval from the representatives from the friendly countries, without having effect in advancing the dialogues (Santos J. M., 2019a).

The US looked with suspicion and scepticism at the peace process being carried out by Pastrana's government, due to the occurrence of drug trafficking within the armed conflict (González Arana, 2004). Pastrana's government focused on rebuilding relations with the US and gaining its support in the fight against illicit crops and drug trafficking.

Consequently, relations between the two governments were strengthened and the US decided to implement a strong drug control strategy in Colombia. This strategy materialised in the country's most important financial and military aid package, "Plan Colombia". At the start of its implementation, Plan Colombia was restricted to the elimination of illicit crops. However, with the terrorist attacks of 11 September 2001, aid was extended with strong military support in the fight against terrorism towards the FARC-EP and ELN. These guerrillas were included in the List of Designated Terrorist Organisations by the US and the EU (Santos J. M., *La batalla por la paz*, 2019a). The US intervened in Colombia's internal armed conflict with increased military aid, which generated concern from the EU. There was

a further deterioration of human rights in the country which contributed to the failure of the peace processes with the guerrillas (González Arana, 2004; Ramírez Ocampo, 2004).

### **2.7.1 Lessons from the Caguán Peace Process**

The Caguán Peace Process had an ambitious agreement framework that was impossible to progress because it included ideas on economic and social transformation that surpassed the expectations of both negotiating parties. Additionally, the correlation of non-state forces influenced the negotiations, especially in favour of the FARC-EP which was powerful enough to be able to fund attacks against the state. As a result, the FARC-EP did not express a real willingness to reach a peace agreement.

It was during Pastrana's government that the Colombian armed conflict was internationalised beyond the influence of drug trafficking or the intervention of humanitarian agencies in the country. It affected the borders of the neighbouring countries, because armed actors continued using neighbouring countries as routes for drug trafficking. As well as using their territories, the guerrillas were pushing civilians who were victims of attacks to cross borders as refugees. As a result, the Colombian government called for assistance from its neighbouring countries to support the peace process, for example there is evidence of the participation by Venezuela (Trujillo Currea, 2012). All parties taking part in the negotiations: government and the FARC-EP or government and the ELN had the capacity to convene external agents and agreed that international participation and support were important in resolving the conflict. According to Ramírez (2002), the role of international actors in a peace process must be defined for an effective international cooperation. In the case of the processes analysed, there was an obvious lack of clarity about the responsibilities and the scope of each member of the international community.

The Caguán peace process was seen as the main peace policy of the Pastrana government and the most daring effort to achieve a peace agreement with the FARC-EP in Colombian history (Santos J. M., 2019a). Taking into account the importance of this process for the following peace efforts in Colombia, Table 1 summarises the main reasons that led to the failure of the negotiations.

**Table 1.** Reasons for the Failure of the Caguán Peace Process.

Situation-Cause	Description
Demilitarised zone	Without the presence of the state in the five municipalities of the demilitarised zone, the FARC-EP was militarily strengthened. They also carried out criminal activities with impunity, such as illicit crops, kidnappings, thefts, and land stripping.
The empty chair	At the opening ceremony of the negotiations the commander of the FARC-EP, Manuel Marulanda did not attend to the meeting with President Andrés Pastrana. The image of an empty chair next to the President showcased the lack commitment from the guerrillas to reach an agreement right from the start of the negotiations.
Broad agenda	The “common agenda for the change towards a new Colombia” was presented broadly. It included a discussion around the country’s economic model, a reform for justice and for state institutions. This agenda was non-negotiable in a reasonable time and lacked the support of the Colombian institution.
Lack of citizen support	Although public hearings were held and the Colombian government appointed technical committees for citizen participation, many Colombians did not feel represented at the negotiating table (Leguizamo, 2002, p. 12).
Plan Colombia	In parallel with the development of the Caguán peace process, the Colombian government negotiated Plan Colombia with the US, legitimising the US government’s intervention in the country.
Slow and unsuccessful negotiations	Negotiations spanned more than three years and did not produce effective results in descaling the conflict (Santos J. M., 2019a; Leguizamo, 2002).
Incidents between the parties	Numerous attacks and abductions by the FARC-EP, as well as evidence that they used the demilitarised zone to grow illicit crops prompted the government to interrupt the dialogue several times. From the side of FARC-EP, there were accusations that the state was promoting paramilitarism.
Ineffective role of the international community	Pastrana’s government attempted to maximise the role of the international community in resolving the armed conflict, without any equivalent commitment from the FARC-EP. Despite this, the international community’s participation strategy was not well structured, and its role was erratic and ineffective for the negotiations.
Public presence and media	The constant presence of media and the general public enabled details of the agreements and negotiations to be made known, adding a huge external pressure.

Source: Own elaboration based on the information consolidated in the preceding paragraphs.

## 2.8. Democratic Security and Enforcement against Terrorism: Negotiations with the Paramilitaries Groups

After three years of frustrated attempts to reach an agreement, and continuing setbacks in the negotiations between the Pastrana government, the FARC-EP was significantly strengthened under the security of the demilitarised zone which enabled more financing from illicit crops. At the end of Pastrana’s presidential term, the correlation of forces was in favour of the FARC-EP and they presented themselves as a serious threat to the institution and Colombian governance (Santos J. M., 2019a; Leguizamo, 2002).

Those who supported the citizens' mandate for peace were disappointed by the FARC-EP's attitude and its lack of commitment. In these circumstances, the 2002 Presidential elections took place in which President Alvaro Uribe was elected for the 2002-2010 period. Uribe emerged as a critical opposition leader against the Caguán peace process. He was able to capitalise on the public fatigue towards FARC-EP, proposing military intervention as the only way to end their activities and provide greater security to the country. With this proposal as the main focus of his government programme, he won the election.

Uribe's government was characterised by the development of its main policy: "Democratic Security Policy", which tried to implement order and security in the country by strengthening the capabilities of the armed forces. This policy was structured using two approaches. The first was the restructuring of the state budget, increasing the amount earmarked for the Ministry of Defence and creating a tax to support democratic security (Santos J. M., 2019a). The second was to take Plan Colombia, started with the previous government, and increase its scope beyond the fight against illicit crops.<sup>32</sup> FARC-EP and ELN were put on the list of terrorist organisations drawn up by the US and the EU in the fight against terrorism following the 9/11 attacks. The guerrillas lost the official belligerence status approved during previous governments that enabled them to negotiate political agreements and now became terrorist organisations.<sup>33</sup> President Uribe managed to convince the US government to authorise the use of Plan Colombia resources not only to fight illicit crops but also to use against guerrilla groups<sup>34</sup> (Arévalo, 2019; Santos J. M., 2019a).

President Uribe's peace policy was based on forcing pacification, in which negotiation was seen as a tool for a forced settlement of the conflict, not as a way to explore solutions and transformations. This kind of policy was a strategy to subjugate the rebels and to force them to kneel at the will of the state and its undisputed legitimacy (Cívico, 2009). This strategy broke with the tendency of previous governments to negotiate in the midst of the conflict to reach political agreements. As negotiation was seen only as a way of subjecting illegal armed groups to the state, it was not considered. Consistent with this policy, President Uribe suggested at the beginning of his government that the only way to negotiate with the FARC-EP, the ELN and the paramilitary groups would be through the cessation of unilateral

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<sup>32</sup> As Plan Colombia was initially proposed as a strategy in the fight against illicit crops. The US government did not allow its use in different activities. As a result, helicopters and aircraft that could be used to support actions against the guerrillas, could not be used because they were funded with resources from Plan Colombia to fight illicit crops (Santos J. M., 2019a).

<sup>33</sup> Paramilitary groups were considered by previous governments as terrorist organisations and were already on the list of terrorist organisations for the US and the EU.

<sup>34</sup> Because there was evidence that guerrilla groups were financed from drug trafficking, the increased scope of Plan Colombia allowed for two national security problems of the US to be tackled: drug trafficking and terrorism.

fire and the release of abductees. This proposal received the resounding refusal of the FARC-EP and the ELN, unlike the paramilitary groups who showed a willingness to enter into a dialogue with the government.

President Uribe retained the position of the High Commissioner for Peace as the highest-ranking official in the government to execute peace work. In 2002, after prior facilitation by the Catholic Church and the Peace Commission of Antioquia, the Peace Commissioner began negotiations with the Autodefensas Unidas de Colombia (AUC; United Self-Defence Forces of Colombia), who through a statement announced their readiness for an immediate dialogue with the national government<sup>35</sup> and the beginning of the unilateral ceasefire from 1 December, which was subsequently joined by the Autodefensas Campesinas Bloque Central Bolívar (BCB; Self-Defense Peasants Central Bolivar Block). The process involved the OAS, and the Catholic Church.

Uribe's government approved a law in Congress that would allow the establishment of negotiations with armed groups in exchange for legal benefits, without recognising their belligerence status.<sup>36</sup> On the same day the law passed, President Uribe appointed an exploratory peace commission to make rapprochements with all self-defence groups in the country.<sup>37</sup> The exploratory commission led to the signing of the Santa Fe de Ralito agreement of 15 July 2003, which marked the end of the exploratory phase and initiated the negotiation phase. In this agreement, the AUC agreed to initiate their process of demobilisation and reintegration into civilian life within two and a half years, to cease hostilities and to recognise the state as an entity in charge of the monopoly of the force (Gobierno Nacional y Autodefensas Unidas de Colombia, 2003).

However, the democratic defence and security policy, enacted by the Uribe government in 2003, became the government's peace policy and restricted the scope of negotiations with illegal armed groups, which was evident in the process of demobilisation of the AUC group. From the government's view and according to the High Commissioner for Peace, Luis Carlos Restrepo (2004), the objective of any negotiation is the demobilisation and reintegration of armed groups into the democratic institution.

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<sup>35</sup> Declaration for Peace in Colombia 29 November 2002 (Arias O., 2008).

<sup>36</sup> Law 782 of 2002 approved on 23 December 2002.

<sup>37</sup> Autodefensas Unidas de Colombia (AUC; United Self-Defense Forces of Colombia); Autodefensas Campesinas Bloque Central Bolívar (BCB; Self-Defense Peasants Central Bolivar Block); Vencedores de Arauca y Autodefensas Alianza del Oriente (Arauca Winners and Eastern Alliance Self-Defense.)

The High Commissioner for Peace was faced with the challenge of presenting a sufficiently enticing set of incentives during the negotiations with paramilitary groups to enable their demobilisation. To that end, in 2005, the government introduced the Justice and Peace Law Project, which was approved and provided legal benefits to the commanders of paramilitary groups that had committed crimes against humanity.

As a result of the negotiations with the AUC, the government managed to demobilise over 31,000 members of these groups between 2003 and 2006, with the accompaniment of the OAS and the Catholic Church. However, there was serious criticism from the public and Congress, focused on the legal benefits offered to paramilitary commanders, as well as for the inclusion on the list of several drug traffickers who sought to make use of the benefits of the Justice and Peace Law.

### **2.8.1 Militarisation and Failed Attempts to Approach Guerrilla Groups**

The implementation of the democratic security policy during Uribe's government strengthened significantly the capacity of the military forces and put the balance of power in favour of the state (Santos J. M., 2019a). The military forces hit guerrilla groups during this time and Colombians began to see the effects of this security policy, especially on roads that were once controlled by illegal armed groups.

Despite the military advantages, the fight against illicit crops financed by Plan Colombia did not yield significant results, compared to the efforts that were being made. There was also an increase in the number of cases of human rights violations by the armed actors. However, President Uribe was re-elected President in 2006, receiving great support from the public for his democratic security policy. In his second term, President Uribe continued to consolidate his policy despite the deteriorating human rights situation in the country.

Due to the inflexibility of its security strategy and to minimise the role of guerrillas by declaring them as terrorist organisations, Uribe's government performed poorly in peace processes with guerrilla groups. The government had several approaches with the ELN and there were rounds of conversation to start negotiations between 2005 and 2008. Those negotiations were developed in Caracas and Havana, thanks to the intermediation of the Venezuelan President Hugo Chávez.

Nevertheless, despite the approaches and dialogues, the Uribe government's peace strategy towards the ELN was erratic, without clear continuity between the negotiating

rounds. The parties interrupted negotiations after the Colombian government dispensed with the Venezuelan President Chávez as an intermediary for the process in 2008 (Cívico, 2009).

With regard to the FARC-EP, during his first term of government, President Uribe was unable to establish any form of negotiation with this group. The only possibility that the government considered was a humanitarian trade of imprisoned guerrillas for abducted military and civilians. It appointed a civil facilitation commission in 2003, composed mainly of members of the Catholic Church and important figures from Colombian politics. But the commission failed to achieve significant results for a humanitarian exchange between the FARC-EP and the government.

During his second term of government, several guerrillas imprisoned in 2007 were unilaterally released with the aim of exchanging prisoners that the FARC-EP abducted, such as the former presidential candidate Ingrid Betancourt. However, the guerrillas refused the government's request because of their inflexibility about the establishment of demilitarised zones in two regions as an initial condition for rapprochement (Echeverri, 2009).

President Uribe's democratic security policy was consolidated during his second term, with Juan Manuel Santos at the Head of the Defence Ministry. During this time, the military managed to eliminate several members of the FARC-EP Secretariat. The guerrillas were significantly weakened, but not militarily defeated (Santos J. M., 2019a; Segura & Mechoulan, 2017).

### **2.8.3 Interventionist Policy against a Global Threat: Terrorism**

The foreign policy strategy of Alvaro Uribe's government manifested itself as a dichotomy, including the projection of its democratic security policy to foreign relations and the pursuit of international mediation to negotiate with armed groups. Throughout his Presidential term, the dominance of the democratic security policy was evident in foreign policy.

Foreign policy was manifested through the strengthening of the Uribe government's relations with the US. Indeed, President Uribe conveniently took advantage of the fight against terrorism that led the US to include guerrilla groups as terrorist organisations. It allowed for the expansion of the scope of Plan Colombia to support the governmental security policy. Colombian foreign policy aligned itself with the US, increased their interventionism in the country (Pardo R. , 2009). As a result of close relations with the US, Colombia inadvertently distanced itself from other countries and the international

community, specifically the EU, although they also included the FARC-EP and the ELN in their list of terrorist organisations. The EU distanced itself from Colombia because of the serious human rights situation and the consequences of the democratic security policy on its citizens (Pardo R. , 2009).

It is important to highlight that initially, President Uribe tried to attract the attention of the UN. In his inauguration speech, Uribe asked the UN to intervene in the Colombian armed conflict through the presence of “Blue Helmets”, to ensure the safety of civilians. In addition, during the negotiations with the AUC group, he requested a UN presence to accompany the demobilisation process without receiving a favourable response. Following the failure of the Caguán peace process, the UN continued to develop efforts to engage in negotiations between the FARC-EP and the Uribe government, outside the country and away from public opinion, without any outcome (Ramírez Ocampo, 2004).

In a regional context, the projection of the democratic security policy isolated Colombia from neighbouring countries. The regional scenario was the emergence of left-wing governments throughout South America, who did not share the vision or interests of the US. These governments were in favour of initiating approaches with the FARC-EP and the ELN, but that was not the intention of the Colombian government.

After the Colombian government’s attack on Raúl Reyes’ camp which was in Ecuadorian territory, diplomatic relations with Ecuador and Venezuela deteriorated. Countries in the region condemned Colombia’s attitude in the name of the fight against terrorism and called for respect for the sovereignty of states.

Analysis of the policy for peace during the government of President Alvaro Uribe in terms of negotiating theories for the resolution of conflicts and peace processes demonstrate the success of the demobilisation of paramilitary groups and the failure in negotiating with guerrilla groups. Uribe’s government conceived a way of bending its counterpart without considering its interests and especially ignoring issues such as social transformation. This path was against all the principles for negotiating a resolution to the conflict. Instead of that, to achieve peace, the negotiation requires some accommodation of the weaker sides’ interests.

In the case of paramilitary groups, their demobilisation was mainly due to the fact that they recognised the Colombian state’s fight against the guerrillas as valid, accepted the correlation of forces and their authority. As such, they tended to demobilise, accepting the submission to justice with some legal benefits without making any kind of social demands.

It can then be concluded that the domestic democratic security policy made it possible for President Uribe to be in power during two presidential terms, having strong domestic public support thanks to the weakening of the guerrilla groups and the demobilisation of paramilitary groups. The projection of this policy in the external sphere excited the interests of the US government. However, from a Latin American international context, this policy was especially negative for rapprochements with the guerrillas due to the deactivation of international relations with Colombia's neighbours, especially Venezuela and Ecuador, who had leftist governments. In the end, Uribe's military efforts also could not eradicate the FARC-EP, although they were significantly weakened, and their number of troops decreased to fewer than 7,000 members by the end of his presidency. However, this group had not been defeated militarily (Santos J. M., *La batalla por la paz*, 2019a; Segura & Mechoulan, 2017). Indeed, as Sergio Jaramillo alluded, the FARC-EP despite being weakened were unwilling to surrender and in this case, the war would have extended for a decade longer (Jaramillo, 2017).

## **2.9. Impact of Foreign Policy and International Cooperation on Previous Governments**

Previous sections of this chapter have exposed different governmental approaches to the Colombian conflict, including changes in domestic and foreign policies that have been presented over time. Knowledge of the historical background in these areas is important in order to understand how the decision-making process has been managed during different presidential terms. The process of making decisions is not an easy task, it requires the analysis of many aspects such as: political context, economic and social situation, previous decisions, and historical lessons. Simultaneously, there are different interactions and preferences in the decision-making process chain that will set up the final decisions. Domestic and foreign policies have been adapted over the years according to the will of different governments. This section provides information about the impact of foreign policy and international cooperation in the governments that have been covered previously.

The international context has influenced domestic and foreign policies in Colombia in different ways. As mentioned above, the alignment or non-alignment to US foreign policy, as well as regional and EU cooperation have had a direct impact on the Colombian decision-making process since the 1960s. Different domestic decisions were taken considering international actors, starting from international policies focused on providing specific advice

in moments where the Colombian government asked for international mediation or facilitation.

Some international and domestic policies from the US were introduced into Colombian domestic policy, for instance promoting the declaration of an “internal enemy”, satisfying national and international pressure from that country in this matter. There were also different periods of “State of Siege” established over various Colombian presidential terms and justified by the need to re-establish institutional stability by attacking insurgencies influenced by the NSD. The most important example was during Turbay Ayala’s government (1978-1982), who adjusted to fit US influence perfectly in both Colombian domestic and foreign policies.

As mentioned at the beginning of this chapter, the *Respice Polum* approach supported the application of a diplomacy for forced pacification (Tokatlian, 1999) in the late 1970’s and early 1980’s. The historical policy alignment to the US held international support for the domestic conflict all over the next presidential terms. Although there were changes in foreign policy approaches from different governments such as: Belisario Betancur (1982-1986), Virgilio Barco (1986-1990) and Cesar Gaviria (1990-1994), the relation with the US was always highly appreciated in the domestic decision-making process and Colombian projection internationally.

These changes in domestic and foreign policy tried to diversify Colombian international relations by bringing the region closer to European policy. One of the biggest examples was Colombian participation in the non-aligned movement during the Betancur government. This had a direct impact on the start of a negotiated pacification foreign policy (Tokatlian, 1999) that resulted in peace initiatives with Cuban, Mexican and Spanish support. As a consequence, internally there were agreements with M-19, ELN detachments and the inauguration of negotiations with FARC-EP in “La Uribe”.

However, the conflict did not de-escalate, and foreign policy ended up changing its approach to a slight diplomacy and forced pacification (Tokatlian, 1999). At the end of Betancur’s term, Colombia once again became closer to US interests. Congress approved the extradition of narcotraffickers, which led to Colombia receiving more US credits and military aid. As a result, domestic policy was impacted by US support, showing the preponderance and the strong dependence of that ally.

However, diversification in international relations was the flagship policy of the next two governments, seeking to improve the economy and gain support for the internal conflict,

adopting a more neutral foreign policy (Tokatlian, 1999) that would enable Colombia to reinforce relations with Central America and Cuba. Indeed, during the governments of Virgilio Barco (1986-1990) and Cesar Gaviria (1990-1994), Colombia stayed in the non-alignment movement as part of a strategy that considered the importance of the region in contributing to the resolution of the armed conflict.

It was important to improve regional and international relations, prioritising economic relations and leaving aside ideological issues supporting peace. There was more autonomy from the US, but the country remained aligned to the fight against drugs, receiving US financial and military support. The Colombian contribution to peace efforts in Central America helped to improve relations with Europe and the region considerably. The domestic approach for peace was successful within a diverse international support context, as demonstrated by: the M-19 agreement that was endorsed, dialogues that were facilitated with CGSB in neighbouring countries, and the demobilisations of the PRT, EPL, and MAQL.

There was “diplomacy for peace” and “negotiated peace diplomacy” during the next two presidential terms, respectively Samper’s (1994-1998) and Pastrana’s (1998-2002) governments (Tokatlian, 1999). The first did not include a strong diplomatic agenda, and whilst the second did, Pastrana’s government and diplomacy lacked the organisation of specific roles for international actors supporting peace. This meant that although there were peace initiatives comprised of a varied group of national and international actors, none of them were really underpinned with plans nor real commitment.

Colombia continued to receive US financial and military support, although during Samper’s government relations with that country deteriorated and relations with other countries were also neglected. However, there was international support from other countries such as Germany, which was part of the peace process that secured a demobilisation agreement with MIR-COAR in 1998. These foreign policy approaches illustrate the strong US influence, and subsequent Colombian actions to restore US confidence, sacrificing Colombian diversification in international relations.

In Pastrana’s presidential term, there were efforts to make peace with FARC-EP and ELN, while expanding international cooperation considering the internationalisation of the conflict. Drug trafficking, and the human rights situation captured the attention of humanitarian agencies that supported the Caguán peace process. As a result, peace diplomacy embraced more countries and international actors. In fact, this embrace included support from neighbouring countries, the EU, the US, the UN Secretary-General representative and

the ICRC, among others. However, once again the US was a key factor, affecting the domestic politics and peace negotiations. The implementation of Plan Colombia, and the FARC-EP inclusion in their list of terrorist organisations undermined the peace negotiations and contributed to the unsuccessful negotiations result.

During the next government, President Alvaro Uribe (2002-2010) conducted unproductive approaches with ELN and FARC-EP, while implementing his “democratic security policy”. There was a strengthening of relations with the US, accompanied by isolation from other regions, especially the EU, and neighbouring countries. This foreign policy approach had consequences on domestic policies because the government could use Plan Colombia’s international cooperation for fighting FARC-EP. It represented a huge quantity of resources that needed to be justified by results that ended up being related to several human rights violations. Consequently, this led to the EU and human rights organisations worldwide adopting a stance apart from the government’s position, despite knowing that the government had achieved a peace agreement with the AUC. The government also tried to get UN support for the demobilisation process with AUC, but in the end this request was not fruitful, and it ended up being supported by the OAS. As suggested by Villa and Viana (2012), the OAS intervention also helped to promote Colombian governmental alignment with US security policy.

To conclude, Chapter 2 presented how the Colombian governments’ decision-making and attitudes towards international cooperation have been affected by the political leanings of the Executive branch of the government of the day, and shaped by the political and social context in which they are governing. This meant that there was little consistency in domestic and foreign policy towards resolving the armed conflict historically, instead there were many government policies that changed their approach with each election. Table 2 summarises historical peace negotiations between the Colombian government and the FARC-EP. Given that these previous governments had failed to secure peace, Santos’ government administration represented a turning point in the incorporation of international cooperation that resulted in the success of the Havana peace process. This new government’s approaches in domestic and foreign policy made it possible to initiate and sustain negotiations with the FARC-EP and secure a final peace agreement. This is the subject analysed in the next chapters.

**Table 2.** Historical Peace Negotiations Between the Colombian Government and the FARC-EP

Attempt	Period	Head of Government	Description	Scope of Agreements
1	1982-1986	Belisario Betancur (1982-1986)  Virgilio Barco (1986-1990)	<ul style="list-style-type: none"> <li>• La Uribe (Colombia) agreement.</li> <li>• Creation of the Unión Patriótica (UP; Patriotic Union) political party including FARC-EP and Colombian Communist Party members.</li> <li>• Negotiations came to an end in 1987 after no agreement. Several UP's party members were systematically killed.</li> </ul>	<ul style="list-style-type: none"> <li>• Truce and bilateral ceasefire agreed on 28 March 1984 and extended on 2 March 1986.</li> <li>• Commitment to continue negotiations toward the end of the armed conflict.</li> <li>• Political participation of FARC-EP members by the creation of the UP party.</li> <li>• Amnesty to FARC-EP members and transition to political and civil life.</li> <li>• No lay down of arms.</li> </ul>
2	1991-1992	César Gaviria (1990-1994)	<ul style="list-style-type: none"> <li>• Caracas and Tlaxcala conversations between the government and the Simón Bolívar Guerrilla Coordinator formed by the FARC-EP, ELN and the remnants of the EPL.</li> <li>• Negotiations developed during armed conflict.</li> <li>• Conversations ended in 1992, no agreement was achieved.</li> </ul>	<ul style="list-style-type: none"> <li>• No commitments were agreed.</li> </ul>
3	1998-2002	Andrés Pastrana (1998-2002)	<ul style="list-style-type: none"> <li>• The Caguán peace process between FARC-EP and Government.</li> <li>• Colombian government provided 42.000km<sup>2</sup> demilitarised zone to FARC-EP in Colombia. No presence of Colombian state institutions in these regions.</li> <li>• Negotiations developed within the demilitarised zone.</li> <li>• Participation of international community.</li> <li>• Broad negotiation agenda.</li> <li>• Negotiations under armed struggle.</li> </ul>	<ul style="list-style-type: none"> <li>• An agenda for the negotiation was agreed.</li> <li>• No agreement was reached in any point of the negotiation agenda.</li> </ul>
4	2012-2016	Juan M. Santos (2010-2018)	<ul style="list-style-type: none"> <li>• Secret exploratory conversations with FARC-EP.</li> <li>• Final agreement negotiation outside of Colombia (Norway and Cuba).</li> <li>• Limited international participation.</li> <li>• Restricted negotiation agenda.</li> <li>• Conversations in the middle of an armed conflict, no demilitarised zone.</li> <li>• Ceasefire agreement at the end of the negotiation.</li> <li>• Wide participation of Colombian citizens, institutions and victims to build the agreements and ratify them.</li> <li>• Armed conflict settled by reaching a peace agreement in 2016.</li> </ul>	<ul style="list-style-type: none"> <li>• Special justice for peace.</li> <li>• FARC-EP guerrilla laying down their arms.</li> <li>• Transformation of rural environment.</li> <li>• Political participation for FARC-EP members.</li> <li>• Drugs and illicit crops.</li> <li>• Victims.</li> <li>• Monitoring and verification of the ceasefire and agreement implementation by the UN.</li> </ul>

Source: Own elaboration based on information obtained from Grabe (2004), Arias (2008) and Santos (2019a).

## **CHAPTER 3. Preparing Colombia for International Involvement Towards the Havana Peace Process**

The objective of this chapter is to contextualise the domestic policy strategies of the Colombian government in the Havana peace process, specifically under President Santos, as well as the regional and international actors who were involved in and influenced the peace process. The first section of the chapter describes how the background of the President impacted his decision-making process. The second section analyses the improvement in Colombian governments relations with neighbouring countries and the search for wider regional support. Finally, the third section presents the Colombian government's strategy to seek international cooperation to promote the exploratory meetings between the Colombian government and the FARC-EP.

The nature of the Colombian political regime places the President as the key player in presenting and leading policy at an international level (República de Colombia, 1991). Put simply, Colombian foreign policy depends solely on the role of the President and their relationship with internal groups within the institutional decision-making process (Ardila, Cardona, Tickner, & Herrera, 2002). Therefore, by analysing the professional and political career of the President of Colombia and his interactions with the different actors involved in the decision-making process, it is possible to understand how decisions were made from the beginning of the Havana peace process. It is also relevant to analyse how the Colombian government initiated approaches to regional and global actors to legitimise the negotiations at an international level.

### **3.1. Election of Juan Manuel Santos as President of Colombia: Background and Policy Strategies for the Havana Peace Process**

According to the Colombian Constitution, the President in their capacity as Head of State is the highest administrative authority in the country (República de Colombia, 1991), which makes him the final decision-maker in domestic and foreign policy, as proposed by Hermann and Hermann (1989), Hermann (1990) and Allison (1971). Therefore, to begin the analysis it is crucial to know the president's background in order to identify what influenced his choices. In Colombia, when Juan Manuel Santos was elected President in 2010, he made it

clear that he was willing to negotiate with the FARC-EP.<sup>38</sup> This represented a new form of governance which reflected his personal preferences and a renewed change in politics to address the historical national interest. President Santos domestic policy adopted a serious and studied approach for resolving the armed conflict. As argued by Jaramillo (2017), there was a clear vision to work for peace and a willingness to take the necessary political risks. This makes leadership and courage necessary as the first step in the peace process.

Since the beginning of his professional career, President Santos developed expertise in negotiation with critical analysis, which is an important input to consider when it comes to peace negotiations. His first job was as a representative of the National Federation of Coffee Growers in London (1972-1981), a position that he held for more than nine years. In this position, he was able to pick up and develop negotiating skills, and was especially influenced by the director of the organisation, Arturo Gómez (Tappe, 2019; Santos J. M., 2019a). In an interview for this research, Santos (2019d) described his own role in developing multilateral diplomacy for negotiating the trade of coffee, as an opportunity from which he gained experience and knowledge about negotiating at an international level.

After nine years in London, he returned to Colombia in 1981 to work at *El Tiempo*, a newspaper owned by his family. He developed a series of publications strongly criticizing drug trafficking, the peace negotiations of the Betancur government (1982–1986), and, in general, the serious situation faced by the country (Santos J. M., 2019a). He gained important knowledge of the Colombian social and economic situation as well as of the armed conflict.

To complete his negotiating skillset, in 1998, President Santos went to Harvard University in Boston to study Public Administration and Negotiation with Professor Roger Fisher. President Santos was a natural negotiator from the beginning of his professional and political career. These skills would enable him years later to carry out the rapprochements and negotiations with the FARC-EP.

President Santos had several lessons on governance and strategy through a course that he had taken at Harvard based on Neustadt's book, *Thinking in Time: The Uses of History for Decision Makers* (Santos J. M., 2013). In this book, Neustadt characterised Abraham Lincoln's policy strategies as a leader who tried to create coalitions in order to gain more influence with which to govern. This strategy would have a profound impact on Santos. In his book about the peace process, *La batalla por la paz (The Battle for Peace)*, (2019a), he would

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<sup>38</sup> Referring to guerrilla groups, President Santos declared in a speech that “the door of dialogue was not locked”. It showed the public chance of a possible change in politics, where a negotiated settlement of the conflict would be considered.

claim that it was during this time at Harvard that he developed these essential negotiating skills that he deployed during the Havana negotiations.

After returning to Colombia, Santos was named Minister of Foreign Trade in César Gaviria's government, a position he held between 1991-1994. With the collapse of the Cold War, and the general opening of the global economy during this period, the government took the chance to internationalise the country's economy. However, in order for this to happen, Santos (2019a) recognised the importance of ending the war as a necessary condition to achieve economic development and for the projection of Colombia internationally. Without the necessary stability created through the end of the war, foreign investors would continue to view Colombia with a sceptical eye.

Therefore, Santos adopted the position of a negotiating leader by contributing towards Colombia's peace efforts in 1997 under the Samper government. He wanted to win the presidency in 1998 and he was aware of the need to start peace negotiations. Santos requested the support of personalities including the Colombian politician Alvaro Leyva<sup>39</sup> who has been a mediator in search of peace accords with ELN, M-19 and FARC-EP mainly, and other important contacts to work on rapprochements with armed groups. However, there was a high politicisation, Santos decided to create the Fundación Buen Gobierno (FBG; Good Governance Foundation) in order to improve political relations between the political parties and Colombian society in favour of peace negotiations. Through this organisation he started efforts to create political pacts and integrate members of civil society, politicians, supporters of armed groups and their representatives in various conferences to work for peace.

Creating the Foundation was an input that enabled him to meet with representatives of ELN, FARC-EP, and AUC to promote negotiating conditions and determine their willingness to negotiate. At the time, the FARC-EP did not want to negotiate with the Samper government. President Samper believed this to be because of a conspiracy he thought was constructed between Santos and the FARC-EP to remove him from the presidency. This situation strengthened Santos politically, but affected his political aspirations for the presidency in 1998 (Santos J. M., 2019a; Semana, 1997; Santos J. M., 2018c).

As stated above, Santos had the opportunity to establish a dialogue with the armed groups during the Samper government. This resulted in five initial conditions for the Pastrana

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<sup>39</sup> Colombian politician, government official, congressman, constituent. He was a mediator in 1989, when the M-19 kidnapped Álvaro Hurtado; he also participated in peace dialogues during the government of President Belisario Betancur and President Andrés Pastrana.

government to initiate dialogues, including: 1) the ministerial cabinet's need to demonstrate national unity with broad political and social representation; 2) the need to delineate a region clear of the military in order to create a demilitarised zone; 3) an agenda for negotiations including the calling of a National Constituent Assembly and real land reform; 4) a bilateral ceasefire after the creation of a demilitarised zone that needed to be verified; and 5) the participation of countries that would offer friendly cooperation, as well as national and international personalities as facilitators and guarantors (Santos J. M., 2019a). These points were part of a prospective agenda that Santos would return to and refresh as decision-maker in his own negotiations with the FARC-EP during the Havana peace process.

The document was recognised by President Pastrana as a roadmap for starting the negotiations with the FARC-EP, and it demonstrated lessons that could be adapted to obtain positive outcomes in future negotiations, as will be analysed in the next chapters. When President Pastrana was elected, Santos organised a meeting with the UN representative in Colombia and other political and social leaders. Therefore, the role of international actors was highlighted as a crucial component from that moment on. However, as their role was not properly organised and delimited by the Colombian government, it could not be maximised for the peace negotiations. The international actors' involvement as a variable was important and considered necessary for future negotiations.

After establishing a demilitarised zone in the Caguán peace process, President Pastrana asked Santos to participate in an international verification commission. Santos occasionally visited the area, but despite initially supporting its creation and the bilateral ceasefire as ideal conditions for establishing dialogues, his opinion changed. He considered that way of negotiating as inadequate because right from the beginning it was creating many concessions for the guerrilla. This was another input taken into account during the Havana peace process that promoted the creation of new conditions for negotiating peace.

These lessons learned during the Caguán peace process gave the wrong impression about the correlation of forces in favour of the FARC-EP. This situation and the lack of commitments between the parties caused President Santos to distance himself from the dialogue. In the end, he decided to stay apart from these peace negotiations and started to question the negotiations from his position as journalist (Santos J. M., 2019a). In summary, the negotiating conditions represented the ultimate failure of these negotiations, which in turn led to a lack of public support for negotiating peace with the guerrillas.

Subsequently, Álvaro Uribe was elected President in 2002. His campaign focused on engaging in large-scale combat against the FARC-EP. Santos supported his re-election in 2006, determining that his policies against the guerrillas were effective. At that time, Santos

participated in the creation of the Partido de la U or Partido de la Unidad Nacional (Party of National Unity). Considering Santos' collaboration and his private and public experience, President Uribe invited him to be his Minister of Defence in his second term, starting on 19 July 2006 and ending on 22 May 2009.

As head of the Ministry of Defence, there was a great responsibility to plan, develop, and improve President Uribe's most important governmental programme, the Democratic Security Policy. During this time, Colombia continued to receive US resources through Plan Colombia.<sup>40</sup> President Santos designed a strategy focused on strengthening Colombian military combat and intelligence capabilities. As a result, the military forces delivered some of the strongest military victories against the ELN and the FARC-EP. The FARC-EP, in particular, was heavily weakened by these attacks as the government began to effectively target members of the FARC-EP Secretariat. These successes in turn led to despondency and demobilisation by various commanders and thousands of their fighters.

The strong military strategy that was implemented consisted of measuring the number of casualties or the body count, much like the US strategy during the Vietnam War. Using this metric as proof of forward movement, just as in Vietnam, led to the emergence of the false positives scandal.<sup>41</sup> After this violation of human rights was published by the media, it was decided to modify the strategy, in order to humanise the armed conflict. Santos (2019c) focused on results that would lead to the demobilisation of combatants. Therefore, demobilisation campaigns were implemented for improving the human rights situation.

There were multiple successes during the Colombian military operation, for example, "Operation Jaque",<sup>42</sup> against the FARC-EP that caused Santos to be widely recognised by President Uribe, who presented his Minister of Defence as the leader behind the operation. There were other important operations whilst Santos was minister, such as "Operation Fenix", the attack on Luis Édgar Devia's (a.k.a Raúl Reyes) camp in Ecuador, and the military operation that killed the FARC-EP leader Victor Julio Suarez (a.k.a "Mono Jojoy") during "Operation Sodoma". These results confirmed the weakening of the FARC-EP and the strengthening of the government's forces. Consequently, Santos was recognised by the public as a strong leader in terms of the success of military operations against the guerrillas.

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<sup>40</sup> As mentioned in Chapter 2, Plan Colombia started during Pastrana's government.

<sup>41</sup> The Colombian military forces were accused of murdering civilians and presented this as part of the insurgency in order to boost their statistics to justify US aid military packages. Military officials also got promotions and time off from their duties as rewards.

<sup>42</sup> Fifteen hostages were rescued during this operation, including the former Colombian presidential candidate Ingrid Betancourt.

Following, the heavy blows suffered by the FARC-EP Secretariat, a new generation of leaders was appointed. This new cadre represented a certain willingness to explore a negotiated solution to the conflict, and a clear intention to start a peace process. By Santos' own recollection (2019a), his strategy as Minister of Defence created the conditions to negotiate with the FARC-EP. In addition, he used the Ministry of Defence to put the government in a better position against the guerrillas (Santos J. M., 2018c). Finally, because of the military successes, President Santos would have the support of military personnel, which would be fundamental in opening up the possibility of a dialogue without fear of backlash from senior generals. It would avoid repeating a previous mistake from Betancur's government, who blamed his failed peace process on the lack of support from the military.

Considering Santos' political strategy from the outset of his professional career, there was always a clear desire to become President of Colombia. When he was finally elected President in 2010, he considered it the perfect opportunity to restart peace negotiations with the FARC-EP. In addition, on July 2010, the FARC-EP leader, Guillermo León Saénz Vargas, a.k.a Alfonso Cano, stated in a video message that ["We are proposing once again to dialogue, do not hide from the country the terrible costs that the war is having at this time, do not hide from the country the deaths that are occurring, children of the Colombian people"].<sup>43</sup> For the Colombian government, this was a decisive factor demonstrating the FARC-EPs' willingness to initiate peace negotiations. President Santos also realised that was important to apply various lessons learned from previous negotiations in which he had been directly involved.

According to the Vice President of the Republic (2017-2018) and peace negotiator General Naranjo (2019), in an interview for this research, President Santos had four minimum conditions in mind to start the peace negotiations based on these previous experiences. First, there was a dose of realism within the FARC-EP regarding the superiority of the state after the years of military defeat and the loss of so many members of their Secretariat. Second, there was considerable institutional strength. Third, there was accompaniment from the international community, and, finally, there was an exploratory phase that resulted in a specific agenda.

In this way, President Santos decided to start secret negotiations with the FARC-EP to constitute a negotiable agenda for a peace process. According to the Government's Chief Negotiator in the Havana peace process, Humberto de la Calle (2019b), in an interview for

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<sup>43</sup> Al Jazeera English. (2010).

this research, the achievement of a realistic six-point secret common agenda was important and represented a change from previous failed Colombian peace processes. This decision resulted in covenants and the sensitivity surrounding policies and institutional changes to favour the development of the Havana peace process subsequent to the secret negotiations.

In the past, Colombian society believed that a negotiating table had to take on all of the country's problems simultaneously. Instead, this new negotiation process emphasised two different concepts. The first was the end of the conflict, and the second referred to the construction of peace and its implementation. As the government's negotiator General Naranjo (2019) declared in an interview for this research:

To make peace with an adversary is to set in motion a peace-building process that does not occur automatically, magically and immediately. There should be understandable processes, if not there would be huge frustration. People believe that signing an agreement gives them everything. In fact, signing an agreement sets in motion a whole peacebuilding process that can take generations depending on each conflict. In our case, we had been with FARC-EP for over 50 years, and the violence left 260,000 dead; it will take years to prepare the implementation. (Naranjo, 2019)

Secret negotiations with a specific agenda represented a change in the governmental programme in national and institutional politics. It also represented an input that would affect lasting decisions. These changes would diminish the ability to expand the topics to be covered during the negotiations, which could be doomed to failure.

Following the success of the secret negotiations, the government and the FARC-EP ended up developing the Havana peace process. During these negotiations, President Santos was the final decision-maker from the governmental side, and his approach was to take decisions more holistically, not as isolated issues. According to his own statements in several interviews, discourses and his published book about the Havana peace process, the decisions working towards peace in Colombia were the result of a process that began a long time ago. It was consolidated based on preferences, personal experiences and his assumptions.

Being aware about the importance of international actors' participation during the Havana peace process, President Santos tried to consolidate close and solid international support. The analysis of domestic policy and foreign policy decision-making demonstrates how decisions are made in this matter. In order to study these interactions between national and international parties that converge on the figure of the final decision-maker represented by the President, it is essential to understand governmental politics during the period. The

President as the government leader is responsible for foreign policy deals and they reconcile intense domestic disputes. To this effect, President Santos tried to maximise the national interest at an international level.

During the peace negotiations in Havana, President Santos implemented strategies in foreign policy decision-making to promote collaboration from other governments. He made crucial decisions from the start of the negotiations regarding the inclusion of international participation from neighbouring and regional countries, because it was considered as a relevant input into the negotiation's success. These inputs were important enablers of different political positions, and their application was part of the decision-making process. As a consequence, the negotiating parties decided to include guarantors and accompanying countries to build commitment and legitimise the Havana peace process.

Cuba and Norway became guarantor countries and intervened only during crisis situations. The Government's Chief Negotiator, De la Calle (2019b), and President Santos (2019d), stated in interviews for this research that they were like notaries who were permanently at the formal sessions, but they did not offer alternatives, mediation, or anything similar. Venezuela and Chile emerged as accompanying countries who were kept informed about the negotiation progress. Additionally, Cuba was the host country of the peace negotiations and, like Venezuela, was ideologically affiliated with the FARC-EP. This provided confidence to the guerrillas to join the peace process.<sup>44</sup>

According to President Santos (2019d), in an interview for this research, Chile's presence as an accompanying country, with a stance more closely related to that of the Colombian government, served as an ideological counterweight to the negotiations, while Norway was selected for being excellent at diplomacy and an expert in conflict resolution.

The peace process also included negotiations about the participation of supranational agencies such as the UN and the UNASUR. It also considered the participation of human rights and humanitarian aid organisations. Most decisions in foreign policy strategy for the peace process were supported by domestic actors. That support was possible thanks to specific movements at different stages of the negotiation, which will be analysed below.

Right from the outset, President Santos understood the importance of formulating a foreign policy based on diversifying international relations. Colombia had an advantage that would help to get closer and build relations with different countries, because in

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<sup>44</sup> The decision about guarantor countries was preceded by the decision about the location where the negotiations would take place. Cuba was chosen as a host country in advance, so it was easier to consider it as also being a guarantor.

November 2010 it became a non-permanent member of the UN Security Council. According to the UN Permanent Representative for Colombia, Néstor Osorio (2019), in an interview for this research, the Colombian position at the Security Council was of great importance because it provided access to contacts from within the organisation with a capacity for action. It also provided access to privileged information from the UN and all its agencies, as well as links with other organisations that act as facilitators and mediators of peace processes.<sup>45</sup> This helped to give President Santos an idea about how to involve the UN in peace negotiations with the FARC-EP.

In summary, the background of President Santos as the final decision-maker had a huge impact on the Havana peace process through the application of different policy strategies in favour of the negotiations. Specifically, considering the presidential decision to negotiate with the FARC-EP as part of a prepared decision scheme. There were different inputs and elements that affected the decision-maker in initiating negotiations with the FARC-EP. President Santos learned many lessons from his academic and professional career, which enabled him to be an effective negotiator. Clearly, it was impossible to make decisions without domestic support, but presidential power played an important role in persuading other decision units.

### **3.2. Approaching Diplomatic Relations with Neighbours and Seeking Regional Support**

As argued by Allison (1971), to make policies it is mandatory to have an interactive domestic sphere, which requires political actors who are in constant dialogue, creating alliances and commitments. This includes having access to information about different political parties' views in order to create future consensus in intranational policy. These ideas reflect Colombia's domestic interactions organised by the President since the beginning of his term. As soon as he was elected, President Santos learned details about the approaches between the previous government and the FARC-EP from Frank Pearl, High Commissioner for Peace to the Uribe's government. Pearl indicated that one of the reasons for the failure of these meetings was the difficult relations between President Uribe and President Chávez. The Venezuelan President could positively influence a negotiation, as he previously had shown by facilitating the encounters between Uribe's government and the ELN.

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<sup>45</sup> There are fifteen different countries represented on the UN Security Council; five of which are permanent members, with the remaining ten non-permanent and elected for a two-year period. Each year the Security Council is renewed with five members.

It is known that during Uribe's government there was a foreign policy marked by strong regional isolation, which peaked in the second half of 2009. This situation was consolidated as a result of ideological differences between the Colombian government and the governments of other South American countries. Relations with Venezuela and Ecuador were particularly strained, especially after May 2008 when Colombia bombed a FARC-EP camp on Ecuadorian territory with US collaboration. According to Sergio Jaramillo (2019), who was the High Commissioner for Peace during the Santos government, in an interview for this research, this situation also generated fake news about the installation of seven US military bases in Colombia. As such, it was necessary to improve Colombian political relations in the region in order to get international support for the peace negotiations. Therefore, Colombia activated a decision-making process that promoted actions involving a new foreign policy vision. It regarded taking examples of different peace agreements from other countries where regional support successfully contributed to conflict resolution. President Santos particularly paid attention to the period between 1985–1987, when presidents of Central American countries drew up a roadmap for peace in the region, based on a previous work done by Panama, Colombia, Mexico and Venezuela.

Also, according to the High Commissioner for Peace Jaramillo (2019), in an interview for this research, the Colombian government had in mind other experiences that showed how a neighbour's cooperation could be instrumental in resolving conflicts, such as the peace process in Afghanistan, which was successful due to the support of the neighbouring Pakistani government. President Santos (2019d) stated in an interview for this research that the Havana peace process was well planned. There was an in-depth study of different peace processes around the world, as well as the Colombian failed processes. The government searched to determine what was decisive, why they failed, what lessons could be learned, and what conditions were necessary for a successful outcome.

It is important to consider that the Colombian conflict represented a threat to adjacent countries, largely because the borders are porous, which affects their security. According to Trujillo Currea (2012), there was the presence of and attacks by armed groups, refugee transit and illicit trafficking over borders. This situation also emphasised the Colombian government's idea about the importance of integrating regional efforts in order to get a positive outcome by implementing a kind of internationalisation pact for peace.

President Santos knew that in order to get support and involve the region in the peace negotiations it would be necessary to refresh this international panorama. It would represent changes in Colombia's international orientation to gain a better position for the country internationally. It was therefore necessary to design a strategy to re-establish

cooperation with neighbouring countries. Therefore, bearing in mind the goal for the peace process, they realised they first had to prepare a scenario that would enable a rapprochement with the FARC-EP, which led President Santos to normalise relations with Venezuela and Ecuador. For this reason, he considered the guidance of international advisors to be highly relevant. President Santos decided to gather a series of international advisors who would give him ideas on how to advance into the negotiations. This advice enriched with other inputs that would have an impact on certain presidential decisions.

These advisors had real negotiating experience, for instance: Jonathan Powell, who was Tony Blair's chief of staff, and in charge of the negotiations in Northern Ireland; the British diplomat Dr. Dudley Ankersen, who was an expert in Latin American negotiations; the former Salvadoran guerrilla commander, Joaquín Villalobos, who was a negotiator in the El Salvador peace process; the former Israeli diplomat Dr. Shlomo Ben Ami, who was one of the authors of the Camp David agreement, and Dr. William Ury, an academic expert in negotiations.

At that time, President Santos decided to prepare international support, and his international advisors agreed on the importance of securing his neighbours' support for a peace negotiation. The international advisors for the Colombian government Jonathan Powell (2019) and Dr. Dudley Ankersen (2019) stressed in an interview for this research that they as international advisors instructed and stressed to President Santos the importance of having President Chávez' support, because he could improve or frustrate the negotiations.

The Colombian Foreign Minister María Ángela Holguín (2019) made it clear during an interview for this research that ever since the presidential inauguration, the Colombian government had made efforts to achieve rapprochements with countries in the region, which would increase the chances of success in possible peace negotiations. As argued by Gourevitch (1978) and Katzenstein (1976), international forces affecting domestic policies are useful for to meet national interest goals. President Santos (2019d) argued in an interview for this research that in asymmetric wars today, like the Colombian war, the region's and especially the neighbours' support was important, and without that support it would not have been possible to have a successful peace process.

According to Minister Holguín (2019), in an interview for this research, the government began a process to approach all the countries in the region but mainly the neighbouring countries, specifically Venezuela, Ecuador and Brazil. It was essential that these countries were involved in the peace process from the beginning. The Venezuelan President Chávez manifested himself as a trusted third-party for the FARC-EP to accept negotiations.

It was an input that would have a positive effect on both countries and the peace process, bearing in mind the difficulty controlling borders.

Right after President Santos' election, on 10 August 2010 President Santos had a meeting with President Chávez to resume relations with Venezuela and to request his support to make contact with the FARC-EP. It reflects a strong change in Colombian international relations compared to that of the previous government. This event was, in fact, a change in international guidance that involved setting aside ideological differences between governments.

In addition, Colombian relations with Ecuador were affected by the military "Operation Fenix". There were also complaints arguing that the conflict in Colombia was affecting the Ecuadorian border's legitimacy and increasing the number of Colombian migrants to their territory. Therefore, to instil confidence, the Colombian government sent the Foreign Minister to Ecuador a few days before Santos' inauguration. The idea was to deliver a letter to the Ecuadorian President Correa inviting him to the ceremony. Later, President Santos decided during his inauguration to hand over the computers seized by the Colombian military forces during the military operation in Ecuadorian territory to President Correa.

This Colombian diplomatic effort enabled to re-build relations with Ecuador (OACP, 2018; Jaramillo, 2019; 2017). It was a positive sign to accept changes that made it possible to integrate different opinions in Colombia. This was also a tactical move involving the decision-making process that began right at the start of President Santos' government. In addition to this, President Santos also looked to boost relations with other South American governments, mostly countries with ideologies that were opposed to him and more favourable to the FARC-EP.

The Colombian government sought to strengthen relations in UNASUR and asked the President of Argentina, Néstor Kirchner, to help to improve the dialogue with the Venezuelan government. Kirchner would have liked to have been a witness or a third-party to the commitments, but he died in October 2010. In memorial to Kirchner, Colombia took the opportunity to re-establish relations with Venezuela and Ecuador,<sup>46</sup> an opportunity the two countries accepted. Ecuador offered to be the headquarters of the negotiations and there was a meeting between President Chávez and President Santos, where there was a request

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<sup>46</sup> In October 2011, relations were re-established with Venezuela. The Minister Holguín (2019), in an interview for this research stated that on 10 August 2010, after the Colombian presidential possession, there was a meeting between President Santos and President Chávez with the assistance of Kirchner. However, in October 2010, Kirchner died and UNASUR paid homage to him in Guyana. A Colombian delegation went to the Kirchner memorial.

from the Colombian government to the Venezuelan government to convince the FARC-EP to initiate a structured dialogue with a pre-established agenda, initially in secret. President Chávez agreed to help because he was convinced about the importance of securing peace in Colombia. As a result, President Santos initiated exploratory meetings with the FARC-EP and in parallel decided to send the Foreign Minister to visit Central America, Latin America, and Europe. This decision was taken to prepare the international actors' support. The Minister Holguín (2019), in an interview for this research claimed that her work was based on updating international actors that the Colombian government was making efforts with the guerrillas towards reaching peace.

President Santos formally expressed a momentous about-turn on foreign policy during an announcement in the 66th General Assembly Meeting of the Inter-American Press Association (IAPA), in Mérida, Mexico in 2010. It marked a change in Colombian foreign policy approaches, with President Santos proclaiming that President Chávez was now Colombia's best friend. However, this decision was not welcomed by many voters and political affiliates who declared it a risk to Colombia due to an entry of "Castro-chavismo", as the ruling ideology of the regimes of Cuba and Venezuela are known (Santos J. M., 2019a).

The diplomatic work of the Foreign Ministry Holguín and President Santos was relevant to persuade different governments about supporting peace in Colombia. At the same time, this would have positive results during the Havana peace process. There was a strong message from the Latin American community, even from the leftist governments, to convince the guerrillas about coming to power via the electoral route. According to the Government's Chief Negotiator, De la Calle (2019b), in an interview for this research, there was an international message that focused on the way in which violence in Colombia was preventing the development of a progressive policy in the country. Consequently, negotiation was crucial to demobilisation and disarmament and the use of ballots instead of violence and terror. Therefore, the regional support influenced the FARC-EP to understand that it was necessary to harness the peace negotiations to promote the need for a transformation away from their state-centric perspective towards that of a multi-centric world perspective.

To sum up, planned decisions to involve Colombia's neighbours and regional support impacted positively and directly in promoting the peace negotiations. As mentioned by the Government's Chief Negotiator, De la Calle (2019, p. 32; 2019b), it was about establishing an equilibrium without putting anyone in the front row, with a professional, balanced, and neutral diplomacy. It was important for the negotiations to be mindful of the ideological issues of the time, that were gaining momentum and influence in other Latin American governments, due to the fact that the left was winning favour in many

countries. Taking advantage of this situation, President Santos also boosted a domestic political coalition to gain the necessary internal support for the Havana peace process as discussed further in the next section.

### **3.3. Reformulation of Governmental Policies during the Exploratory Meetings with the FARC-EP**

From the start of his mandate, President Santos decided to establish a political coalition government to unite the country to promote the resolution of the armed conflict. It meant a reformulation of a strategic policy in which the main political parties, regardless of their ideology, gain a position in the government by fostering coalitions that will have a positive effect on the democratic and economical projects. The implementation of this type of decision ends up empowering adjustments and enabling different political projects in a bureaucratic system. As argued by Clarke and White (1995) and Milner and Tingley (2015), an efficient governance will depend on encouraging state policies and avoiding bureaucracy. In fact, this change in Colombian domestic politics, adding opposition parties, would produce positive outcomes in the President's governance.

While the decision to engage in a coalition government was valued as a way to achieve peace, the decision was also necessary as President Santos' party did not have a majority in Congress after the election. By bringing in other political parties, not only did it strengthen his hand in the negotiations, but it also made the negotiations possible and it was widely agreed upon in supporting the peace process. Allison apud Neustadt (1971) emphasise that in order to reduce the lack of support at a national level, it is necessary to look for increasing the presidential power of persuasion; specifically, negotiating with opposition parties to establish political pacts. In different interviews, President Santos (2013; 2019b) argued that he considered Abraham Lincoln's strategy<sup>47</sup> as an important context to inform the way in which he sought to increase his governmental power and govern the country. Consequently, Santos' cabinet included opposition politicians who created a favourable environment to prepare a peace process with the FARC-EP.

Another important decision was to initiate contact between the Colombian government and the FARC-EP by sending an emissary in secret. The government sent the Colombian businessman Henry Acosta to establish initial contacts, a.k.a., a backchannel

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<sup>47</sup> In the US, Abraham Lincoln decided to invite his political rivals to join his government when he wanted to free slaves and approve the Emancipation Act. Lincoln approached different sections of the National Congress in order to win a majority in the Legislative. It also helped to approved various laws.

strategy, to determine the interest of the guerrillas in initiating a possible peace process. This decision was connected to an internationalisation strategy that played an important role. In Colombia, the Swedish government contributed financially to the backchannel.

There were changes in policy instruments that resulted in two important decisions at the beginning of the Santos government. First, to make a public announcement accepting the existence of an internal armed conflict in Colombia, and second, pushing the approval of the law for the reparation of victims of the conflict that had been refuted in the previous government. On 10 June 2011, this law was approved by the Congress due in part to the alliances which the Santos government had worked to secure. At the same time, the government had UN support through an official visit of the UN Secretary-General Ban Ki-Moon who appeared in the Colombian Congress<sup>48</sup> According to President Santos (2019b), this international support generated a positive impact by building confidence in the peace negotiations with the FARC-EP.

Given the positive response from the FARC-EP, who expressed their readiness to negotiate, exploratory meetings were then organised. To make these meetings possible, President Santos requested President Chávez's support. President Santos applied a new and important orientation to prioritise certain foreign policy matters. It represented a political shift from other national decisions that would have an impact nationally and internationally. Therefore, the Colombian government and the FARC-EP prepared a first meeting facilitated by Venezuela in Colombian territory. Additionally, there were other meetings in La Orchila, Venezuela, between 2011 and early 2012.<sup>49</sup> Considering President Chávez's support, the Colombian government maintained a direct communication channel to inform him of progress during those meetings. According to Jaramillo (2019), in an interview for this research, in his role as the Head of the Office of the High Commissioner for Peace he was constantly travelling to report to President Chávez.

For the FARC-EP negotiators Gallo (2020), and Téllez (2020), in an interview for this research, these exploratory meetings intended to reach agreements on how secret negotiations would be developed. Even during the secret negotiations, internationalisation of the peace process was considered as a necessary variable for its ultimate success. Cuba emerged as a guarantor and was set to be a headquarters for the development of the secret

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<sup>48</sup> It was facilitated due to Colombian participation as a member in the UN Security Council (Osorio, 2019). The UN Permanent Representative for Colombia invited the UN Secretary General to participate formally. This participation was as an exceptional witness to the signing of the enactment of the victims' law.

<sup>49</sup> Santos appointed three plenipotentiaries for preparatory meetings in Venezuela in a bid to build greater confidence, including Enrique Santos, Frank Pearl and Sergio Jaramillo.

negotiations. According to the Office of the High Commissioner for Peace (OACP, Spanish Acronym) (2018), the secret negotiations<sup>50</sup> were conducted discretely, as were the exploratory meetings.

The internationalisation during the secret negotiations was limited to the Venezuelan facilitation, the ICRC participation, and the international advisors hired by the President. At this stage, the role of the international advisors was to share their international experiences to evaluate the real possibilities of negotiating with the guerrillas. At the same time, they guided the secret negotiations by advising the President on his decision-making. Later on, they will continue their work with the plenipotentiaries and the governmental officials who were involved in the course of the negotiations. It is important to bear in mind that there was great scepticism about peace negotiations with the FARC-EP (Santos J. M., 2018a), which is why the secret negotiations were used as a strategy to analyse the FARC-EP's real willingness to negotiate and to organise a framework agreement for a peace process. As agreed by the High Commissioner for Peace, Jaramillo (2017; 2019), secret negotiations were always relevant to make initial agreements, the secret manner in which the strategy was implemented was important to maintain a closed decision-making process to provide clarity to the President.

In addition, the decision to hold the first negotiations in secret, without the pressure of public opinion and the temptation to use the media as a political platform, was crucial to the success of these negotiations. Jaramillo (2017) claimed that the secrecy gave the peace process a necessary dignity, as the two groups presented themselves as equal parties, each with respect for their adversary. This is necessary in order to give confidence and to demonstrate a sense of being involved in an equal negotiation, as well as to strengthen the negotiation ambience.

Santos' government considered the lessons learned from the previous failed peace negotiations in Colombia and demonstrated how his government planned a serious peace process, which really sought to achieve peace. There were three decisions based on lessons from the Caguán peace process. The first one, the creation of a roadmap for an agreement to end the conflict. Secondly, negotiating in the midst of conflict without applying a ceasefire, and thirdly, not considering a demilitarised area in the Colombian territory.

In parallel, the FARC-EP proved willing to negotiate under new conditions that would end up leading to unprecedented decisions. For instance, as previously mentioned,

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<sup>50</sup> These negotiations were held during the first semester of 2012 in Havana.

the acceptance of a negotiating agenda that was focused on specific points, such as the unconditional handover of weapons, political reintegration and without considering certain issues including changes in governmental structures was crucial. In addition, the FARC-EP's acceptance to negotiate under the Rome Statute represented an international legitimisation of a national negotiation.

To achieve a singular positive outcome during the secret negotiations was only possible through the use of techniques to persuade the opponent. Particularly, there were some aspects that President Santos used to approach the guerrillas successfully. He showed a wide capacity for institutional changes that would influence various domestic policy changes. In the Colombian case, the government stopped seeing the guerrillas as “enemies” and instead simply as “adversaries”.<sup>51</sup> Indeed, President Santos (2019d) stated that finding empathy for the rival is necessary to resolve armed conflicts. It is about understanding what the real aspirations are, their objectives, red lines, and everything that the adversary feels is part of the negotiation. It also represented an attempt to implement a common dialogue policy for the development of the country, establishing collaborative systems to reconcile diverse interests.

The importance of the correlation of forces is a relevant variable within a negotiation for the end of a conflict. Indeed, the stage of secret (preparatory) negotiations between the Colombian government and the FARC-EP delegates being under war conditions for both parties was crucial. These military actions reinforced the negotiations, which was the only way out for the conflict given that despite strong attacks against the guerrillas, the confrontation had not stopped.

During this time, the Colombian military forces, in an operation known as “Operation Odiseo”, located the FARC-EP commander, Alfonso Cano. For the government, the FARC-EP commander was the highest value target. Despite the risks to the negotiations, President Santos decided to give the order to attack the FARC-EP leader's camp, which resulted in Cano's death. According to President Santos (2019d), in an interview for this research, after the attack, the FARC-EP did not abandon the secret negotiations. Indeed, the incident gave the entire process more respect and seriousness. Furthermore, Cano's death showed the real capacity of the Colombian government to threaten the guerrilla group at its highest levels, and according to Jaramillo (2017) it was presented as a change in

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<sup>51</sup> According to President Santos (2019d), in an interview for this research, General Alvaro Valencia Tovar, who was a former commander Chief of Staff of the Colombian Armed Forces, taught him that the word “enemy” has a connotation of hatred. In the 2016 Nobel Peace Prize speech, President Santos (2016) also argued that humanising war is not only limiting its cruelty but also recognising humanity in the opponent.

the balance of forces for the negotiation table in favour of the Colombian military forces. While these events were a necessary condition to continue to the next level in the negotiations, it was not a sufficient one to reach a final agreement.

Considering the good progress of the secret negotiations with the FARC-EP, Santos' government decided to start preparing the legal basis for the peace process. The government asked the Congress to promote the Legal Framework for Peace. In an interview for this research, the High Commissioner for Peace, Jaramillo (2019) stated that this constitutional reform was approved after intense negotiations between the government and Congress. At this point, the decision-making was a fragmented process in which different inputs influenced the final result.

There was a need to reconcile ideological divisions that may affect the decision-making process. In Colombia, there were some ministers who did not agree in the beginning with the peace negotiations. In this context, unanimous government positions for the peace process were necessary, due to its importance in contributing to the success at the negotiating table. It was relevant to have participation and cooperation from ministries to share information about different policies that had been implemented and which needed to be considered in the negotiation points. President Santos managed to secure the commitment of his ministers and secretaries to work for peace. In his words:

[...] It is a process of convincing the government (Ministers), my people, of the benefits of sharing and coordinating and sacrificing for a higher purpose. [...] It is like the conductor of an orchestra, coordinating the government to have a similar vision whilst not setting traps against one another, which is very common. Ministers start to boycott other ministers either because they want to show off or because of political infighting. So, you have to be on top of management to be able to get these disruptive policies in the correct direction and make them work. [...] there are different types of leadership – for making war, or for making peace, [...] instead of giving orders you have to persuade, you have to teach people how to forgive. That was a permanent challenge, and not only in this case; always public policies have to be explained and explained more than once. It needs to be repeated, people don't understand until you explain it to them many times, and if you don't explain many times or people don't understand your public policies, they will tend to reject them. It is very important for them to understand what you are doing. When you have policies that are disruptive of the status quo then you have to manage the relations

between the different ministries in order for the government to be successful [...].  
(Santos J. M., 2019c)

To sum up, this chapter provided context for the domestic and foreign policy strategies of the Colombian government in the Havana peace process, specifically under President Santos, as well as the regional and international actors who were involved in, and influenced the peace process. The first section of the chapter described how the decision-making process was affected by the background of the President who made it clear that he was willing to negotiate with the FARC-EP. This new form of governance reflected his personal preferences and a new political direction. The second section illustrated the improvement in the Colombian government's relations internationally and how it gained wider regional support. Finally, the third section included consensus-building intranationally by establishing political coalitions, and how the Colombian government sought international cooperation to promote the exploratory meetings with FARC-EP. It is clear that international actors can influence domestic actors in negotiations and have an effect in the domestic decision-making process. To understand these effects, it is important to study the structure of domestic actors in the government's decision-making process and how international actors were integrated at the negotiation table. This is the subject analysed in the next chapter.

## **CHAPTER 4. Organisation and Development of the Decision-Making Process for the Havana Peace Process**

The objective of this chapter is to map the national and international actors that were part of the negotiating table for the Havana peace process between the Colombian government and the FARC-EP. It also considers the criteria and political considerations that made possible the integration of these actors at the negotiation table. This mapping is necessary to clarify how decisions made by national actors were conditioned and facilitated by cooperation and mediated by international actors.

To analyse the strategic decision-making influenced by international actors during the Havana peace process, it is important to understand the structure of the Colombian political system and its legal framework. This chapter studies how the Colombian government worked with representatives from the international system to ensure the success of the Havana peace process.

### **4.1. Structure of Domestic Actors for the Decision-Making Process**

On 26 August 2012, the parties signed the General Agreement for the Termination of the Conflict and the Construction of a Stable and Lasting Peace<sup>52</sup> (Jaramillo, 2017), a milestone in the secret negotiations. It began the next negotiating stage of the final agreement (Semana, 2015; Caracol, 2014). The first round of discussions was scheduled to begin on 15 November 2012 in Havana, Cuba (OACP, 2012a; 2012b). The Havana peace process was divided into three stages,<sup>53</sup> where the government established a practical way forward by dividing the process. First, an exploratory phase (completed 26 August 2012); secondly a negotiation to reach a final agreement; thirdly an implementation stage (Santos J. M., 2019a). There was a clear conciliatory governmental position expressed in the opening speech of the negotiations by the Government's Chief Negotiator, Humberto de la Calle<sup>54</sup>.

Figure 7 illustrates different stages of the peace negotiations between the Colombian government and the FARC-EP as reported by President Santos.

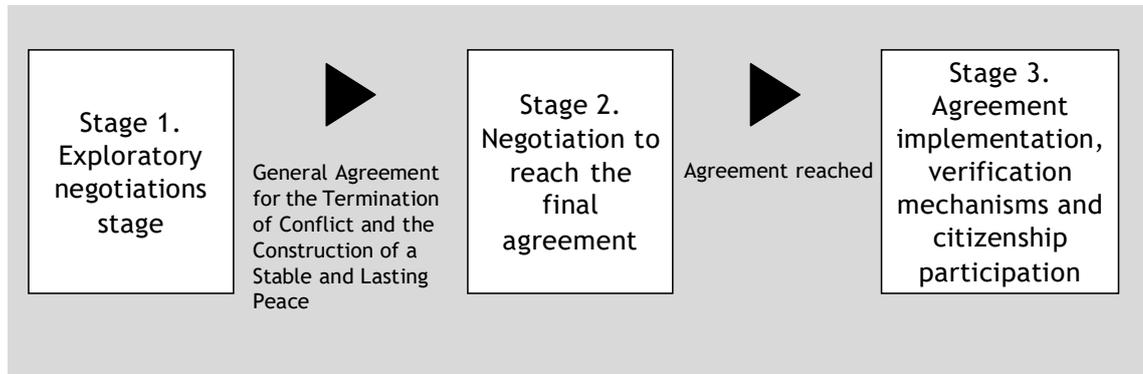
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<sup>52</sup> President Santos considered making the beginning of the peace process on 4 September 2012 known to the public. However, he was forced to report it previously in order to avoid speculation.

<sup>53</sup> As a result of the successful exploratory meetings initiated in 2011, the secret negotiations between the Colombian government and the FARC-EP delegates began on 23 February 2012. The secret negotiations finished on 26 August 2012, and the Havana peace process began with the public installation of the negotiation table in Oslo, Norway on October 2012. Subsequently, the negotiation table was moved to Havana where it was permanently chaired until the signing of the final agreement.

<sup>54</sup> There is a part of the opening speech cited in the introduction of the Chapter 2 of this research.

**Figure 7.** Peace Agreement Negotiating Stages.



Source: Own elaboration.

In practical terms, the division of the peace process into stages characterises a comprehensive negotiation not limited to an agreement to end the conflict, but which also included measures that addressed the root causes of the conflict in order to transform it. As mentioned above, when the negotiation started, President Santos had been aware of the importance of creating a specific framework agreement<sup>55</sup> in order to distinguish the Havana peace process from the Caguán negotiations where there were over hundred points to negotiate. This measure was the result of advice from his international advisors. Specifically, the international advisors Powell (2019), Ben Ami (2019) and Ury (2020)<sup>56</sup> in interviews for this research argued that the negotiations would take a long time because they have to build trust from the other side, and that requires time and lots of discussions. It was important to build this trust instead of trying to go straight for a final agreement without this in place. According to the international advisor Ury (2020), in an interview for this research, the international advisors shaped a preliminary agenda before even the exploratory negotiations began. They created a list of topics that would work in an agreement, and identified the key issues to focus on.

The scope of the negotiations in the second phase would include five key points: rural development,<sup>57</sup> establishment of guarantees for the exercise of political opposition and citizen participation by demobilised guerrillas, ending the armed conflict (ceasefire, handover

<sup>55</sup> This document would combine substantive measures, provisions/principles, and specifically include disarmament, demobilisation, and reintegration (DDR), an issue that had never been included in previous negotiation agendas.

<sup>56</sup> He participated as a negotiator during the Camp David Agreement, where the framework agreement was a short document - four or five pages long. The international advisor, Ben Ami (2019) stated in an interview for this research that he contributed by advising that these organisations (such as FARC-EP) have the habit of introducing new elements or new ingredients that were not agreed in advance. Therefore, it was important to establish the boundaries of the agreement.

<sup>57</sup> According to De la Calle (2019b), in an interview for this research, it was the first point because the Colombian government and the FARC-EP agreed on that the conflict had been initiated in the countryside, and that there had been frustrations in agrarian matters historically. Therefore, this issue would need to be addressed first. Also, the origin of the guerrillas is linked to the farmers (peasants) problems, they even were called themselves “Peasant Self-Defense Groups”.

of arms, reintegration of demobilised fighters into civilian life), dismantling the guerrillas involved in the drug trade, and the right by victims to the truth and to receive reparations. The negotiations discussed each agenda item in several rounds, depending on the complexity of the matter or the discrepancies in the parties' positions.

The responsibility for a negotiation stage of the final agreement largely fell upon President Santos, who decided to elect a team that would be responsible for negotiating on behalf of the Colombian government. He appointed a negotiating team recognised for their excellence and representativeness (Santos J. M., 2019a, p. 255). In this regard, it sought to include representatives from various sectors of society to generate support for the peace process. As argued by Keohane and Milner (1996) and Milner and Tingley (2015), the participation of multiple actors in politics, eventually meeting the criteria of including ideological divisions, may promote decisions that will be accepted by the majority. This was a lesson learned especially from the Betancur peace process.<sup>58</sup> Examining various perceptions or preferences in a government negotiating context may promote consensus (Allison G. T., 1971). President Santos discussed with his international advisors the importance of cooperation between the state bureaucracy and the military forces for the success of the peace process. As mentioned by the international advisor Ben Ami (2019), in an interview for this research, it was extremely important to bring the military forces into the process and not to turn them into enemies of the same process.<sup>59</sup>

Consequently, President Santos appointed Humberto de la Calle to lead the government delegation—a lawyer by profession, and a public servant of several previous governments, who had experience in the demobilisation processes of guerrillas' groups during the government of Cesar Gaviria. All members of the delegation were plenipotentiaries. It included two retired members of the military forces, General Oscar Naranjo and General Jorge Enrique Mora; Frank Pearl—a former Commissioner for Peace; Luis Carlos Villegas—a businessman and President of Asociación Nacional de Empresarios de Colombia (ANDI; National Association of Businessmen of

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<sup>58</sup> The government delegation periodically used to be in Havana for eleven days and three days in Bogotá. In Bogotá, the delegation, the different ministries and state agencies were establishing the most reasonable positions for the government at the negotiation table. There were two instances: the government work in Bogotá and the government plenipotentiaries work in Havana. The plenipotentiaries were advised to formulate the proposals based on public policies from an intense internal discussion; as argued by the De la Calle (2019b) and Naranjo (2019), in interviews for this research, it was important in order to avoid fights or divisions at the negotiation table in front of the FARC-EP.

<sup>59</sup> As Ben Ami had experienced during the Israel-Palestine Oslo agreement, where the military forces did not participate, and consequently became enemies to the negotiations.

Colombia); and Sergio Jaramillo as High Commissioner for Peace,<sup>60</sup> who had previously served as Vice Minister of Defence between 2006 and 2009 and as National Security Advisor between 2010 and 2012.

As time passed, and according to the dynamics of the negotiations, it became necessary to appoint new plenipotentiary members to replace those who left. The new members included two women, community leaders and human rights activists. In addition, Colombia's Foreign Minister, María Angela Holguín and Senator Roy Barreras took part in 2015. According to the High Commissioner for Peace, Jaramillo (2019) in an interview for this research, the heterogeneity of the negotiating team boosted domestic confidence during the negotiations. It also reinforced the legitimacy of the government delegation at the negotiation table.

These governmental plenipotentiaries worked in parallel with different government institutions in order to prepare for the implementation of the agreements. To that end, they worked with ministries and other government offices responsible for implementing policy programmes that would be implemented as a result of the peace agreement. Jaramillo (2019), in an interview for this research, illustrated that thanks to the work of these individuals, the administrative and financial considerations were well understood for the implementation of different proposals in the peace agreement concerning education, health, victims, justice, and rural reform.

Likewise, governmental advisors were selected and sometimes they travelled to Havana to support the governmental plenipotentiaries; they could intervene at the table, but only with the authorisation of De la Calle or Jaramillo. Additionally, there was an effort to discuss what was happening at the negotiation table with different sectors of Colombian society.<sup>61</sup> This was an important input, especially considering that decisions that included different preferences and perceptions from various institutional actors through pacts were more consistent. The Government's Chief Negotiator, De la Calle (2019b), in an interview for this research, claimed that when he travelled to Bogotá with Jaramillo, they listened and

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<sup>60</sup> Jaramillo was in charge of the international arena during the negotiations. In that role, there was not a strong participation by the Government's Chief Negotiator because from the beginning that decision was known by other plenipotentiaries.

<sup>61</sup> During the peace negotiations, proposals were submitted by the farmers (peasants) associations, victims' groups, other citizens, and obviously by the negotiating parties in order to promote public policies. The integration of citizens into the peace process was necessary to develop governance. According to Saunders (2003), citizens are important actors in a peace process; for Leguizamón (2002), the support of citizens and the willingness of the Colombian society to assume a peace process is one of the variables that, interrelated with the correlation of forces, determined the future of negotiations. This element contributes to social transformation as argued by Darby (2001), and it is necessary to remember that there was support and international cooperation, which was a crucial element highlighting its greater importance.

discussed the peace negotiations with the military leadership, the Catholic Church leadership, business commissions, and the victims.

Following Herbolzheimer's (2015) notions, the Havana peace process stands out in the world for the democratisation of the process, where the victims were located in the centre. He also agrees that the peace process was a comprehensive negotiation, in which public participation was important and it also included the most striking agreement in the world to avoid impunity.

However, contrary to Herbolzheimer's (2015) view on the democratisation of the process, the political opposition always criticised how the dialogues were developed by arguing that their thoughts were not considered during the peace process. In fact, the greatest oppositional force came from the former President Uribe and his supporters. According to Tappe (2019, p. 8), this opposition accused President Santos of using President Uribe as a platform to be elected, only to suddenly change his political strategy to become interested in being recognised as the first President to succeed in signing a peace agreement with the FARC-EP. This situation ended up affecting the negotiation stages and conditioning how the peace process finished, being fragile due to the plebiscite results.<sup>62</sup>

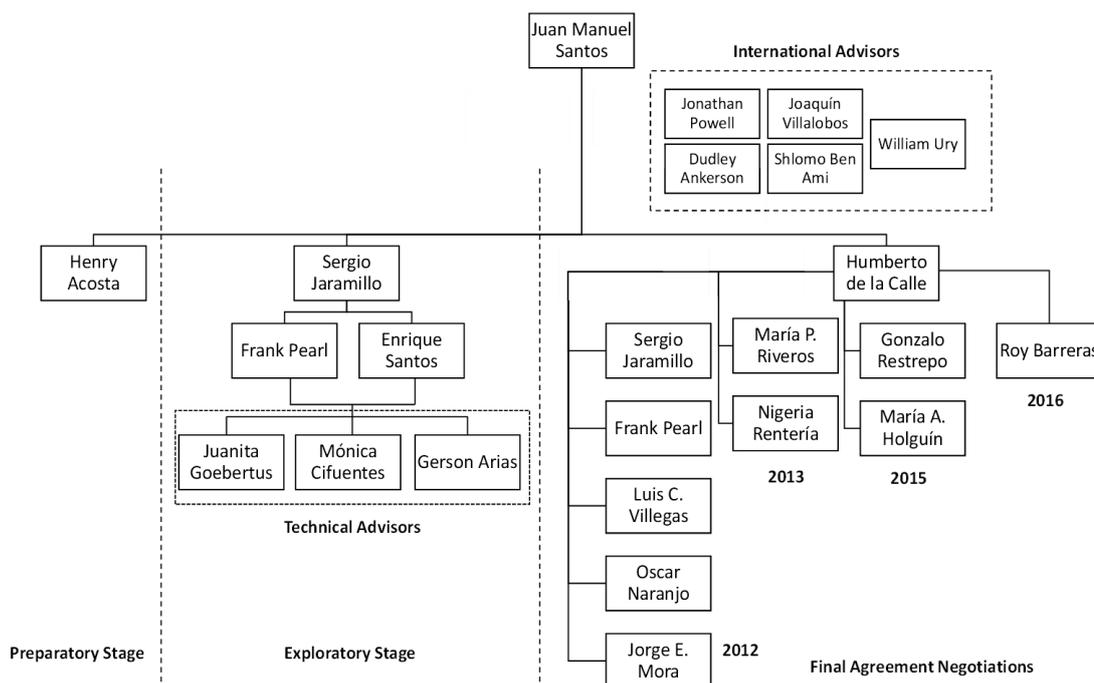
Although during the Havana peace process there were constant critics of the negotiations from the political opposition, the government delegation continued the negotiations promoting a broad discussion both in Colombia and in Havana. According to the government's negotiator General Naranjo (2019), in an interview for this research, the decision-making process always considered the premise of constructive ambiguity, which meant that the ambiguity must later become a possibility to generate an agreement. In decision-making matters, the deliberation took place in three levels where final decisions were made with a broad consensus, containing inputs from various sources. First, a technical level where a plethora of criteria was created; later an internalisation of the negotiations on the criteria; next a discussion with the FARC-EP delegation in order to produce an internal deliberation to reach a minimum agreement; and finally, a presidential decision. In addition, considering unplanned negotiating positions that required consultation, there was a permanent dialogue between the President and ministers. It was a complex and exhaustive decision system, in order to understand it, this research includes the next two figures presenting the government's decision-making actors.

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<sup>62</sup> President Santos proposed a public plebiscite to endorse the agreement between the government and the FARC-EP. However, a strong national campaign was developed for and against the peace agreement for the vote in the plebiscite. On 2 October 2016, the results of the plebiscite vote showed the rejection of the peace process by a narrow margin majority.

Figure 8 illustrates the government's key actors (delegates) who participated in the three stages of the peace negotiations, there is a small box including the international advisors.<sup>63</sup> Figure 9 shows all government's members involved in the decision-making process during the peace negotiations, specifying the Office of the High Commissioner for Peace (OACP, Spanish acronym), directed by Sergio Jaramillo, and special governmental delegates.<sup>64</sup>

**Figure 8.** Colombian Government Delegates during the Peace Negotiations.

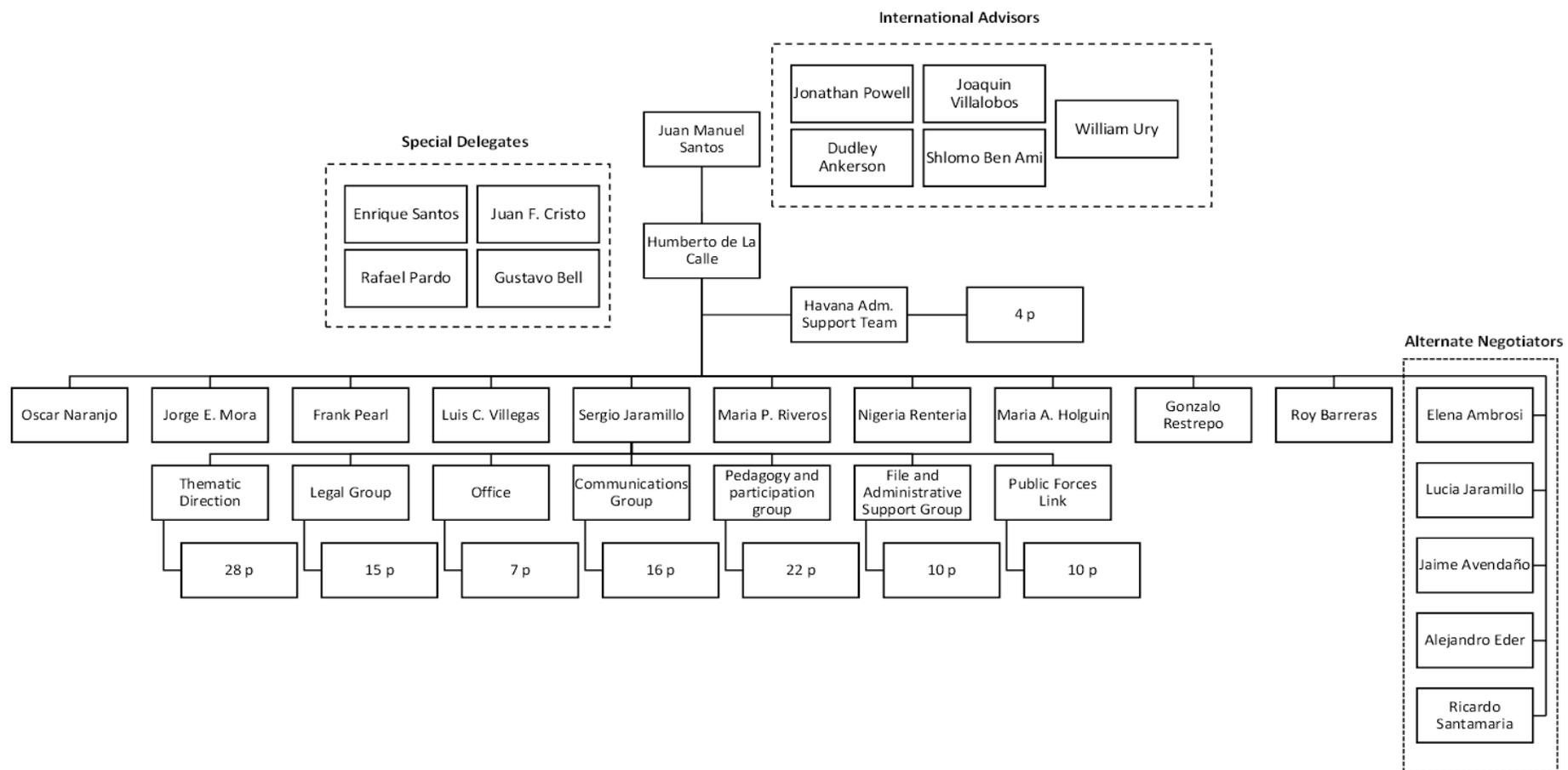


Source: Own elaboration.

<sup>63</sup> The preparatory phase began with the initial contacts made through Henry Acosta, which enabled the exploratory phase. This second phase, known as exploratory meetings, was led by the High Commissioner for Peace, Sergio Jaramillo with Enrique Santos and Frank Pearl as plenipotentiaries. During this stage, plenipotentiaries had a team of technical advisors. Finally, after reaching agreement on the framework agreement for the final negotiations in 2012, President Santos appointed Humberto de la Calle as Chief Negotiator for the government, and other plenipotentiaries including: General Oscar Naranjo, General Jorge Enrique Mora, Luis Carlos Villegas and Frank Pearl. In 2013, Luis Carlos Villegas left the negotiating team and two women were included: Nigéria Rentería and María Paulina Riveros. In 2015, both plenipotentiaries left the negotiating table and the Minister of Foreign Affairs María Angela Holguín and Gonzalo Restrepo came to participate. Finally, Roy Barreras was appointed plenipotentiary in 2016.

<sup>64</sup> During the negotiations, ten plenipotentiaries were appointed, four of them were participating during the entire negotiation: General Oscar Naranjo, General Jorge Enrique Mora, Frank Pearl and Sergio Jaramillo. The Chief negotiator also had at his disposal an alternative group of negotiators and an administrative support group. Additionally, Sergio Jaramillo, as High Commissioner for Peace (coordinator and plenipotentiary), already had a technical support group in the OACP. It was composed of various groups: thematic management, the legal group, the dispatch, communications group, pedagogy and citizen participation group, archive group and administrative support and the liaison group with the military forces. During the different negotiation stages there were special delegates appointed such as: Minister Juan Fernando Cristo, Minister and Advisor Rafael Pardo, Colombian Ambassador in Cuba Gustavo Bell and Enrique Santos (the President's brother).

**Figure 9.** Colombian Government Members Involved in the Decision-Making Process during the Peace Negotiations.



Source: Own elaboration.

As mentioned above, the diversity of the government delegation members enabled a rich discussion between them. According to the Government's Chief Negotiator, De la Calle (2019), in an interview for this research, the delegation required a permanent and intense discussion among its members. The High Commissioner for Peace, Jaramillo (2019), in an interview for this research, complemented this by stating that President Santos gave the governmental plenipotentiaries a wide margin for negotiation, and any discrepancies during the discussions of each point and subpoints were usually resolved by consensus or by the decision of the Chief of the delegation. However, the most important governmental strategy at these moments was to arrive at the table with a unified position to discuss the agenda.<sup>65</sup> Finally, the most significant and impactful decisions were made directly by President Santos. Indeed, President Santos (2019d), in an interview for this research, stated that the most difficult decisions regarding the peace process were made by him, especially those involving foreign policy.

President Santos was responsible for the whole thing, but he was not necessarily consulted about everything. The plenipotentiaries knew which decisions were presidential, and in particular it was the Government's Chief Negotiator who at certain times had to select the decisions that needed to be escalated. The Chief Negotiator, De la Calle (2019b), in an interview for this research, argued that President Santos asked the plenipotentiaries not to be paralysed by waiting for his opinions. He gave general criteria for making decisions at the negotiating table and the decisions for presidential consulting were, for example, related to ceasefire.<sup>66</sup> But in general, the plenipotentiaries were autonomous; as the government's negotiator General Naranjo (2019) in an interview for this research emphasised, they had sufficient freedom to express their position at the table.

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In addition, President Santos recommended to the Chief Negotiator, to apply a fundamental principle throughout the negotiation process and that it become one of the pillars for the development of the negotiations: "nothing is agreed until everything is agreed". To that end, the agreements reached at each agenda item were called drafts, that had no validity without agreement on all subsequent drafts. According to Santos (2019a), his negotiating strategy was the result of his knowledge of negotiating and his personal

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<sup>65</sup> The OACP was responsible for preparing the texts of the proposals, which were then discussed among all plenipotentiaries. Only after getting a consensus was it possible to come up with a common position for the negotiation table for each cycle of conversation.

<sup>66</sup> For example, the decision about considering the suspension of Alpha bombings, which was the use of US high-end bombs. This was a Presidential decision and it also involves military orders; therefore, it couldn't be made by a delegation.

experience in different ministries, especially during his time in Cesar Gaviria's Foreign Trade Ministry.

The FARC-EP delegation was represented mainly by members of the Secretariat, led in the whole peace process by Iván Márquez as Chief FARC-EP delegate. The majority of the FARC-EP plenipotentiary delegates rotated among the Central High Command<sup>67</sup> and the Secretariat members during the negotiation. The FARC-EP decision-making process worked as a vertical military structure. The FARC-EP negotiator and Head Member of the Technical Subcommittee for Ending the Conflict, Julián Gallo (2020), a.k.a Carlos A. Lozada, in an interview for this research, argued that opinions, suggestions or comments by different FARC-EP members from the plenipotentiaries delegates who had ideas or proposals were also considered.<sup>68</sup> In his words:

We met daily and reported on progress in the various Subcommittees that were working at the time. In those meetings, decisions were made regarding a political posture, whether to maintain or sensitise that posture. The publication of announcements was by consensus [...] there was always wide discussion. There were never cases when the delegation Chief had to decide alone. (Gallo, 2020)

Regarding the matter of the FARC-EP advisors, they did not have an organised structure of advisors like the government from the beginning. According to the FARC-EP negotiator Luis Alberto Albán (2020), a.k.a Marcos Calarcá,<sup>69</sup> in an interview for this research, they had problems with advising<sup>70</sup> and communications. In other words, for the FARC-EP, that condition was asymmetric. For the Director of the Center for Political Thought and Dialogue Academic, Dr. Jairo Estrada (2020) in an interview for this research, this unequal relationship

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<sup>67</sup> In the FARC-EP military structure, the Central High Command designated the highest command of each front.

<sup>68</sup> The FARC-EP delegation had sixty members plus the Technical Subcommittee for Ending the Conflict members. There were decisions that could be taken to the FARC-EP Direction when the whole members of the Secretariat were not participating. However, the delegation was autonomous to make decisions in the event that due to any circumstance the queries made to the Direction could not be answered in a timely manner.

<sup>69</sup> Head of the FARC-EP delegation in the Monitoring and Verification Mechanism (MM&V), working with the Colombian government delegation and the UN delegation in the tripartite mechanism.

<sup>70</sup> The FARC-EP's advice was minimum and essentially for the legal issue, in which Diego Martínez, Álvaro Leyva and Enrique Santiago participated. They contributed to the construction of the Integral System of Truth, Justice, Reparation and Non-Repetition (SIVJRNR, Spanish acronym). And there was another advisor, Mariela Kohon, who contributed on the creation and performance of the UN missions. According to the FARC-EP negotiator, Gallo (2020), in an interview for this research it was a kind of lobby in the UN Security Council representing the FARC-EP position.

occurred because up to a certain point in the negotiations, it was forbidden for the FARC-EP to organise advisors or assistance trips to Havana without governmental consent. In summary, the government's negotiating team was recognised domestically for its cohesion between a heterogeneity of representatives that generated wide support to the Havana peace process. They worked together with different government institutions including ministries and government offices to prepare for the implementation of the agreements. Though the President was the final decision-making unit, the governmental plenipotentiaries had a wide margin for negotiating, and they knew which presidential decisions required escalation. Although the decision-making process for the peace negotiations included a framework agenda within comprehensive negotiations, there were moments where the conditions of the negotiating parties were asymmetrical. On one hand, the position of the Colombian government delegation used national and international advice in a confidential manner. This position was supported by a governmental negotiating team which was varied and that kept itself informed of other influential national sectors. On the other hand, the FARC-EP decision-making process used vertical decision-making, and faced communication problems, along with a lack of national and international advice.

#### **4.2. Strategic Decision-Making Influenced by International Actors during the Havana Peace Process**

Understanding the Colombian legal framework for international relations makes it possible to comprehend how domestic and foreign actors worked together for the success of the Havana peace process. According to Article 9 of the Political Constitution of Colombia, international relations must be based on national sovereignty, respect for the self-determination of the people and recognition of the principles of international law accepted by the country. To that effect, Article 226 of the Colombian Political Constitution (República de Colombia, 1991) defines the character of Foreign Policy in Colombia as follows: "The state shall promote the internationalisation of political, economic, social and ecological relations on the basis of national equity, reciprocity and convenience". Similarly, Article 9 states that such relations must be based on the recognition of the principles of international law. As a result, international cooperative actions that are articulated in the international system originate in domestic spheres.

Chapter 8 of the Political Constitution states the parameters of foreign policy and its institutions with preponderance.<sup>71</sup> According to the Colombian presidential representative democratic republic, the Executive branch has a more autonomous participation in foreign policy.<sup>72</sup> The President of the Republic is above that of the National Congress and the Advisory Committee, although Colombian law grants the Legislative Power to a ratifying role.<sup>73</sup> In addition, the role of the President of the Republic is defined in the Political Constitutional Article 189, which highlights the figure of the President as head of state, head of the government and a supreme administrative authority, who directs international relations.<sup>74</sup>

Following the national legal framework, the search for national interests might be complemented through international cooperation. There is evidence presented by several authors on the value of negotiations involving international actors within the framework of conflict resolution (Ramsbotham, Woodhouse, & Miall, 2011; Fast, 2002; Reimann, 2001; Kriesberg, 1998). For the organisation Fundación Ideas para la Paz (FIP)—Ideas for Peace Foundation – (2002), international cooperation is seen as a contributing factor, but does not replace the obligations of the government during the Havana peace process or the post-agreement implementation stage.

During the Havana peace process, both negotiating parties looked to include international support to promote confidence and legitimise the negotiations. The domestic actors in charge of international cooperation took control of the design and the implementation of the international cooperation agreements. These agreements are the conversance of tactical behaviour, in which the national interests and international factors persuaded actors to make decisions about strategical associations or coalitions.

Since the beginning of this historical moment, the presidential role was supported specially by the Colombian Foreign Ministry and the Office of the High Commissioner for Peace. In parallel, the National Congress did not have an active role in international

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<sup>71</sup> Other rules that complement the legal framework of the Colombian foreign policy include: Decree 110 of 2004, that modifies the structure of the Foreign Ministry; Decree 1942 of 2003 that assigns new functions to the Foreign Ministry and the Administrative Department of the Presidency of the Republic; Decree 540 of 2004 that regulates Article 96 of Law 788 of 2002 about tax exemptions on donations of international governments or entities. Finally, there are other regulatory agreements that have been developed to support the work of administrative foreign policy actors.

<sup>72</sup> According to Articles 136 and 224 of the Political Constitution, the Congress does not play an active role in foreign policy.

<sup>73</sup> It is represented by a second Committee of each Chamber which plays an important role in the ratification of international treaties and agreements

<sup>74</sup> Historically, Colombian presidentialism continues with a strong personalistic model as stated by Ardila (2009).

participation during the period.<sup>75</sup> According to the national legal framework, the participation by international actors in Colombia is mainly directed by the Ministry of Foreign Affairs which has a highly diplomatic, policy formulating and guiding role.

As explained above, when it came to the Havana peace process, the Executive branch was in charge of making decisions about domestic and international policies. President Santos' national and international professional career influenced the course of the negotiations. He decided that his government needed to be surrounded by national and international experts in peace negotiations to maximise the government's actions. These actions would consider national and international lessons to achieve positive negotiating outcomes.

In this respect, continuing the dynamic from the secret negotiations about negotiating in the middle of the conflict, the Havana peace process did not include a ceasefire. President Santos decided to continue applying this risky and unpopular action. His decision was based on international experience during the Oslo Accords between the Government of Israel and the Palestine Liberation Organisation (PLO), where they were negotiating in the middle of the conflict. This decision was the result of following advice from international advisors, which reinforced the importance of studying other international peace negotiations.<sup>76</sup> It also shows how international actors influenced the Havana peace process. In President Santos' words:

I decided to apply what I call the Rabin doctrine. The former President of Israel, Rabin, said at one time, "I will negotiate with Arafat, with the terrorists, as if there is no terrorism, and I will continue fighting terrorism, as if there is no peace process, separating the two things". And I decided to apply that doctrine to this peace process; we would continue the war until being very close to a total deal. (Santos J. M., 2018a)

The government's decision-making process considered studies of various international peace negotiations to analyse strategic movements for promoting agreements. Moreover,

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<sup>75</sup> Given the supremacy of the Executive branch, during the period under consideration, the President had the power to create institutions. President Santos established the Presidential Agency for International Cooperation (APC, Spanish acronym) in 2011 to coordinate and promote international cooperation.

<sup>76</sup> As argued by Allison (1971), the international actors' role may influence governmental domestic politics. This decision meant a strong position that would end up legitimising the negotiations to a certain point. However, it could have been costly because the nation may not have accepted negotiating whilst the guerrillas are killing people.

President Santos' experiences in different national and international contexts were incorporated in the political decision-making process. For that reason, bringing international advisors to assist him was valuable. The international advisors guided the public officials from the government and the plenipotentiaries to take over negotiations. According to the international advisor, Ury (2020), in an interview for this research, they managed the governmental negotiating team's tasks and their dynamics to build coherence within the decision-making process. In his words:

A lot of work that we did was to give advice on how to deal with the FARC-EP and the international community. And also, to give advice on how to make sure that you keep a domestic society in support of the peace process. That is very important and needed their approval for any agreement. We were kind of mediating, making sure the team kept together because there were a lot of differences. (Ury, 2020)

The international advisors contributed with their knowledge to different governmental meetings, and these encounters were highly appreciated. According to the Government's Chief Negotiator, De la Calle (2019b), in an interview for this research, the international advisors had a great capacity to conceptualise the negotiation and influence the government to define essential issues, strategies, tactical elements, chronology, and how to act. However, this advice helped to firm up concrete decisions, they no longer played such an important role, because it was the plenipotentiaries who had specific knowledge. Additionally, there were red lines for their advice regarding their communication, which was only with the government and the governmental plenipotentiaries, not with the FARC-EP.

As stated by the Government's Chief Negotiator, De la Calle (2019b), in an interview for this research, referring to general communications with regards to public opinion during the peace process at this stage, the negotiating parties considered it a sphere of confidentiality, based on international advice. It was not characterised as secret; information was given when necessary, maintaining the confidentiality and preventing constant disruptions by the media. However, De la Calle (2019b) and Powell (2019), agreed in interviews for this research, that President Santos had exhausted his political capital with the peace process, in fact he needed a more professional engagement for a communications strategy.

Due to the need to articulate the commitment and the involvement of public participation within the peace negotiations, both negotiating parties requested the events involving public participation (the national forum and the regional working tables) were recorded. The UN and the National University's Centre for Reflection and Monitoring of the Peace Dialogues were called upon to organise the process. The purpose of these events was to consolidate conclusions that would be delivered to the negotiation table in January 2013. In addition, the Congress and its Peace Committee were committed to the government's new effort to reach peace, and actively participated in the peace process by organising nine "regional working tables" to discuss and collect proposals from the regions to complement those resulting from the national forum (OACP, 2012a; 2012b; 2012c).

The forum and "regional working tables" were developed prior to the discussion of each point of the agreement, except the first point in the agenda that was already launched before the event (OACP, 2012c; 2012d; 2013a; 2013d; 2013e; 2013g; 2013h; 2013i; 2013j; 2013k; 2013l; 2014a; 2014b; 2016b). In an interview for this research with the advisor to the Office of the High Commissioner for Peace (OACP, Spanish acronym), Julián Arévalo (2019) stated that many of these proposals involving public participation were collected for the elaboration of the final agreement.

According to the Head of Reintegration at the UN Verification Mission in Colombia, Alessandro Preti (2019), and the High Commissioner for Peace Sergio Jaramillo (2019) in interviews for this research, there was no presence or participation by the parties under negotiation at the forums or "regional working tables", as agreed in the framework agreement. It was important in order to prevent what happened during the Caguán peace process, where the FARC-EP used those public participation spaces as a political platform. These participation spaces were supported by diplomatic delegations from the UN, Cuba and Norway (OACP, 2012d).

Another complex item under discussion was related to victims. The negotiating parties agreed to request a tripartite group composed of the UN Office in Colombia, the National University and the Colombian Episcopal Conference (the Catholic Church) to select delegates from the victims of the armed conflict to represent themselves at the negotiation table. The Government's Chief Negotiator, De la Calle (2019b), in an interview for this research, claimed that the request to the organisation's tripartite group gave a stamp of neutrality and trust. In total, sixty victims were chosen on behalf of all victims of the

conflict, spread over five groups of twelve people, and there were five cycles of discussions for this item with a different group of victims in each cycle.<sup>77</sup>

This request was the result of the recognition of the victims' importance in the armed conflict and their need to contribute to the final agreement. The Head of Reintegration at the UN Verification Mission, Preti (2019), in an interview for this research, argued that President Santos and the delegations gave the greatest importance to the victims in the agreement. According to the OACP (2014d; 2014e; 2012f) these groups contributed with their testimonies and proposals at the table. Till the end, it was crucial to give representation to the victims in the negotiation.

In February 2015, there was an important international cooperation meeting held between the FARC-EP delegates and the former UN Secretary-General Kofi Annan, as part of the negotiations in Havana. The meeting considered the scope of the peace process and the negotiated points on the general peace agreement, especially the issue of victims. The event gave confidence to the negotiating table with UN official participation and an international role that would influence the national scenario. This visit was the consequence of an earlier meeting between President Santos and the group representing the victims. The UN officials also met with the delegation of the Colombian government and attended a special session at the negotiation table. After this meeting, a document called "New Colombia Without Victims" was presented by FARC-EP members.

Another important advanced discussion was related to the negotiations involving the removal of children under fifteen years of age from the FARC-EP camps. It was considered to be of vital importance for the guarantee of children's rights, involving the support of international actors (OACP, 2015f). It was organised by a technical team led by the Office of the Public Defender—the Ombudsman and the Advisory Office on Human Rights of the Presidency of the Republic, with the participation of the International Committee of the Red Cross (ICRC), United Nations International Children's Emergency Fund (UNICEF) and the International Organisation for Migration (IOM) to verify compliance with the commitments. The Carter Centre, Geneva Appeal and three other social organisations were

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<sup>77</sup> The UN and the National University chose the victims. However, with more than eight million six hundred thousand victims, choosing who could participate (or not) will always be criticised by some. According to the government's negotiator, General Naranjo (2019), in an interview for this research, the victims left a mandate in Havana that was in their own words: "do not leave this negotiation table until reaching an agreement, because we do not want more victims".

also invited.<sup>78</sup> There were other activities with UN support that contributed to the negotiation table for future implementation, these included the start of the programme to replace illicit crops with a pilot scheme in Briceño, Antioquia and the inclusion of a gender approach in the agreements (OACP, 2016d; 2016g; 2016e).

The creation of a Special Jurisdiction for Peace (JEP, Spanish acronym) for all actors who were involved in the armed conflict was another key point in the advancement of the implementation. President Santos was advised by his international advisors Shlomo Ben Ami and Joaquín Villalobos about ensuring justice by applying amnesties.<sup>79</sup> President Santos was aware that Colombian people would not accept that option. Therefore, for practical purposes amnesties were not acceptable, but instead, there was a need to collaborate with justice with an upgraded justice system<sup>80</sup> from the one applied during the peace process with the Paramilitaries. According to the international advisor Ben Ami (2019), in an interview for this research, there was no gap [sic middle ground]: if you do not collaborate, you will go to the ordinary justice system, and it will give you the sentences that are written in the penal court. It facilitated the dialogue because it meant that all participants in the armed conflict would have the same treatment after the agreements.

President Santos (2018a) summarised this agreement for transitional justice as the only one where the parties get together, create a justice system and accept that they will submit to that system. For that reason, President Santos decided to meet Fatou Bensouda, the then Prosecutor of the International Criminal Court, in Norway in June 2015, to deal with transitional justice issues like those that were advised by his international advisor Ben Ami. This meeting was important in order to align the peace agreement with its obligations under the Rome Statute. However, according to Jaramillo (2017), the agreement reached with the JEP was highly ambitious and difficult to implement because it was the first

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<sup>78</sup> The following Colombian social organisations also participated: Comunidades Construyendo Paz en los Territorios (CONPAZ; Communities Building Peace in the Territories), Asociación Nacional de Zonas de Reserva Campesina (ANZORC; National Association of Peasant Reserve Zones), Coalición contra la Vinculación de Niños, Niñas y Jóvenes al Conflicto Armado en Colombia (COALICO; Coalition Against Linking Children) and Youth to Armed Conflict in Colombia (OACP, 2016d; 2016g).

<sup>79</sup> Bearing in mind that, since the Second World War, there were hundreds of amnesties in different conflict situations.

<sup>80</sup> There was support from the UN Security Council to that point (2016l; 2016m) whereby the FARC-EP would not negotiate its own imprisonment and that is the essence of a political solution in order to transform the armed group from the armed conflict into politics.

of its kind, in which a guerrilla agreed to go to court,<sup>81</sup> tell the truth about the crimes committed, serve a sentence and redress the victims with their own resources.

To continue the analysis of the influence of the international support during the Havana peace process, it is relevant to mention that the partnership between the domestic and international actors sought decisions that allowed to continue the negotiations and to reach a final agreement. Within this frame of reference, the domestic policy crisis generated by the political differences between the opposition and the government affected, to some extent, the peace process. At the same time, there were critical moments between the negotiating parties.

Despite the peace negotiations progress in Havana, simultaneously in Colombia the armed struggle remained. And there were also some critical moments that affected the negotiation table. For example, when the Colombian government requested collaboration from Cuba and Venezuela to intercede with the FARC-EP to de-escalate the conflict or to start ceasefires, the FARC-EP applied a unilateral ceasefire to express their willingness to reach a peace agreement. However, the Colombian government continued to justify its military actions by protecting the country from other conflict actors. And, the FARC-EP repeatedly denounced to the guarantor countries that situation, a fact that could have led to the cancellation of the negotiations.

Another critical fact considered to be an important situation was when President Santos ordered the suspension of the negotiations due to the kidnapping of several soldiers and a high-ranking army official by the FARC-EP (Reyes, 2014). This was the biggest crisis at the negotiating table, that was only resolved through mediation of the guarantor countries Cuba and Norway. There was also important field work from the ICRC that interceded to release the detainees (OACP, 2014g).

Although there were some risky moments that could have caused the cancellation of the peace process, there were also numerous demonstrations of both parties' commitment to assume their responsibilities. This was demonstrated by the way in which they sought to compensate for the damage done and their work on reconciliation. For example, during the

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<sup>81</sup> During the negotiation both parties asked the following institutions and individuals to choose the judges for the JEP: Pope Francis, the UN Secretary-General, the Criminal Chamber of the Supreme Court of Justice, a delegation in Colombia of the International Center of Transitional Justice (ICTJ), and the Permanent Commission of the State University System (OACP, 2016k). However, Pope Francis declined the request, so the negotiation table asked the President of the European Court of Human Rights to appoint a delegate to the JEP magistrates' selection mechanism (OACP, 2016n).

development of the negotiations and before signing the final agreement, the parties started the implementation of some of the agreement points.

One of the most impactful actions of the implementation was the beginning of the humanitarian demining process, where there was an action to advance that issue.<sup>82</sup> It was important to eliminate the risk to people in the most affected areas of the conflict. Therefore, the negotiating parties agreed to request the leadership and coordination from the Norway People's Aid (NPA) in demining projects of anti-personnel mines and other explosive elements. The implementation of the activities was supported by the guarantor countries and the ICRC (OACP, 2015a; 2015b; 2015c). Additionally, the government and FARC-EP delegations, together with the ICRC, took actions to find, identify and deliver people who had gone missing during the conflict to their relatives.

In conclusion, this chapter mapped out the government's decision-making process involving national and international decision-making units. It has shown that the international representatives promoted confidence in and legitimised the peace negotiations. The decision-making also involved studies of various international peace negotiations to analyse strategic movements for promoting agreements. International cooperation played a crucial role in domestic politics to continue the negotiations and to encourage the signing of the final agreement. As history has shown, during the development of the negotiations, the parties started the implementation of some of the agreement points with international support. The role of these international actors in the peace negotiations is further analysed in the following chapter.

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<sup>82</sup> In an interview for this research, the Director of the Demining Agency, Yohn Medina (2020), who would later work with the UN Mission, stated that in the entire humanitarian and operational demining system, around 150 mines were destroyed each year, depending on the times, location and the military operation. However, the collaboration of the UN, the Colombian military forces and the FARC-EP enabled to destroy 3450 mines in four months.

## **CHAPTER 5. The Role of the International Community during the Havana Peace Process**

The main objective of this chapter is to show the relationship between the research problem and the research argument by analysing the role, influence, and conditioning of international actors during the government's decision-making of the Havana peace process. To this end, first the chapter will analyse the Colombian approach to internationalisation of the peace negotiations, that would have an effect on domestic policies by supporting the advancement of the Havana peace process. Second, this chapter examines the role and the impact of the international actors during the peace process, specifically, the ICRC, guarantors and accompanying countries, the US, the EU, and the variety of international experts, leaders, and other international organisations.

### **5.1. A New Approach to Internationalisation under the Peace Negotiations**

In order to understand the decision-making approach of President Santos during the peace negotiations, it is important to analyse the political situation in the 2011–2016 period. During this period, the guerrillas were paralysed due to the lack of new recruits and the consistent attacks against them that were hindering their combat forces. It was the combination of these factors that would lead the FARC-EP leaders to negotiate with a new government, knowing their ability to maintain combat power in the field was lessening by the day. From the governmental side, President Santos was aware of the opportunity to initiate a peace process under favourable conditions that could be boosted by a change in tone and with a new approach towards international actors. Considering the new approach that focused on diplomacy, there was a change in Santos' government that showed a clear difference from his predecessor.<sup>83</sup> From his first speech, President Santos sought to resume relations with regional neighbours that had previously been acrimonious, specifically, Venezuela and Ecuador. The Santos government also defined a diverse diplomatic foreign policy that began with the commitment to the UNASUR.

The FARC-EP was stuck in a bind when it came to international participation. On the one hand, they did not trust the international cooperation in the peace process. On the other hand, the guerrillas saw international participation as necessary to guarantee the promises made by the Colombian government. They attempted and succeeded in achieving

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<sup>83</sup> As argued by Hermann (1990), a change in governmental politics is part of decision-making, and specifically a political programme of changes that may affect politics.

a balance between these two competing elements. First, they focused on improving their relations with foreign states by visiting various foreign embassies in Cuba. As suggested by the FARC-EP negotiator Albán (2020), a.k.a Marcos Calarcá, in an interview for this research, the organisation was seeking solidarity for the peace process from as many countries and organisations as possible across, the EU, the Middle East, Africa, and Central and South America. These included but were not limited to Iraq, Iran, Bolivia, Venezuela, Ecuador, Uruguay, and Mexico.

The Colombian government and the FARC-EP created a number of institutions to assist in the implementation of the peace process during the negotiations. These institutions would include participants from international groups and member states of the UN. First, the negotiating parties established the Technical Subcommittee for Ending the Conflict (STFC, Spanish acronym) to review and verify the implementation of the peace agreement. Secondly, they organised a national council to develop plans for the reintegration of FARC-EP members. And, thirdly, they created the National Security Guarantee Commission, at ministerial level, to dismantle criminal organisations, which could become responsible for future murders of ex-combatants involved in the implementation.<sup>84</sup>

The Monitoring and Verification Mechanism (MM&V, Spanish acronym) was created by the Technical Subcommittee for Ending the Conflict (STFC, Spanish acronym), which was in charge of reviewing and verifying the implementation. This mechanism included the participation of the Colombian government, the FARC-EP, and an international component. This consisted of a political mission with unarmed observers coordinated by the UN that would receive all the FARC-EP weapons as included in the final agreement. The tasks of observation and verification from the mission were structured according to the “Agreement on the Bilateral and Definitive Ceasefire and Cessation of Hostilities, and the Laydown of Weapons”; it was an internationalisation strategy to influence domestic policies to legitimise the peace negotiations and its implementation processes.

The internationalisation of civil conflicts has been studied by academic internationalists, given the broad reality of the participation of one or more international actors in internal armed conflicts. However, for the internal conflict to become internationalised, both negotiating parties had to agree to proceed with the participation of

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<sup>84</sup> To that end, on 14 December 2016, the Constitutional Court approved to extend the President’s authority to issue decrees relating the implementation stage. It was also considered an accelerated procedure for the National Congress to review and approve its legislative agenda. The government introduced an amnesty law project and the FARC-EP appointed six representatives to participate in congressional debates without voting rights (UN Security Council, 2016m).

external actors.<sup>85</sup> At the same time, humanitarian efforts became internationalised, but not in the form of an intervention as it was a response to the parties' request to assist in the end of the conflict. This international involvement came mainly from the UN, the EU and the ICRC, through humanitarian projects delivered in conflict-affected regions which included: demining, the identification of disappeared people, rescuing of guerrilla children, and replacement of illicit crops.

According to Trujillo Currea (2012), the internationalisation of neighbouring countries and other international actors worldwide ended up producing a dynamic of cooperation to reduce the effects of war on the border. In consequence, international cooperation emerges in the peace process at the beginning of the negotiations in 2012 to avoid conflicts in the region and to promote good results to achieve a peace agreement. At the same time, it is important to remember that Colombia received humanitarian assistance from various UN programmes and agencies, international cooperation agencies and human rights non-governmental organisations.

In order to understand in further detail how the negotiations became internationalised it is useful to analyse the historical context. A number of authors have examined the history of Colombian foreign policy and indicate that the process of internationalisation of the armed conflict started as early as the governments of Andrés Pastrana (1998–2002) and Alvaro Uribe (2002–2010) (Borda S. , 2009; Pardo & Tokatlian, 2010; Tickner, 2007). According to Borda (2007), the internationalisation of Colombia's armed conflict is an explicit requirement and a conscious decision that is conditioned by the international scenario where external agents have been included in the Colombian conflict. Some examples that motivate these processes: Colombia's extensive borders and the difficulty controlling them, particularly when considering the country's dense forest and mountain terrain, the ability of the insurgents and paramilitary groups ability to remain highly mobile, the military incursions by the Colombian military forces into neighbouring territories (the bombing in Ecuador as a prime example), the border's contested legitimacy with its neighbours, and the increased number of Colombian migrants to neighbouring countries. Importance was placed on ending the oldest conflict on the

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<sup>85</sup> As Kalyvas (2003) suggests, that the parties are able to call on external actors. Following the argument of Trujillo Currea (2012), the internationalisation of these kind of conflicts begins with three explanations or by their interaction with each other. Firstly, the internationalisation of a third party is given directly or indirectly by humanitarian or national interests as claimed by Stephen Garrett (1999) and Boettcher (2004). Secondly, internationalisation occurs when one or more of the actors in the conflict request a political or military international strategy (Mitchell, 1989); and finally, according to Salehyan (2009), it can be given by the spread of the conflict beyond the borders that lead to the increase of refugees, illicit trafficking, and border incursions.

continent and for other neighbours to improve their foreign policies by contributing to the Havana peace process.

As mentioned in Chapter 2, “diplomacy for peace” was established during the Caguán peace process under Pastrana’s presidency in order to gain support for the negotiations. President Pastrana sought to establish strong relations with the US to promote Plan Colombia. At its heart, Plan Colombia was a militarised peacekeeping strategy that focused on the armament of the state’s military forces and the eradication of illicit crops in the country in order to starve the FARC-EP of resources and attrite their forces. Because the aid provided to Colombia changed the strategic situation within the country, there was no cessation of military escalation or a visible desire for a mediated solution to the conflict, the peace negotiations held during this time went nowhere.

In contrast to Pastrana’s government, the strategy of Uribe’s government was to strengthen security to legitimise the resolution of the armed conflict by military means. Following the terror attacks in the US on September 11, 2001, President Uribe directly attached the war against the FARC-EP to the emerging Global War on Terror declared by US President George W. Bush. (Pardo & Tokatlian, 2010; Rojas, 2007; Tickner, 2007). The strategies of both President Pastrana and President Uribe stated that the requirements to destroy the drug cartels necessitated getting international support. It represented a big contrast comparing previous foreign policy agendas and the President Santos agenda. The Santos government foreign policy agenda was keener to collaborate for a negotiated solution and for the implementation of the peace agreement.

This new government’s agenda considered how to involve other states as guarantors and accompanying countries in the peace process.<sup>86</sup> However, the role of these actors was limited to accompanying the negotiating parties and mediating disagreements in critical domestic issues for the government. In addition, there was political support for the peace negotiations from Argentina, Bolivia, Brazil, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Uruguay, Canada, the United States, Germany, Spain, France, Portugal, the United Kingdom and the Palestinian National Authority (Reyes, 2014), as well as several international organisations such as the Organization of American States (OAS),

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<sup>86</sup> As mentioned above, the Colombian government enabled four countries to participate in peace negotiations: Cuba and Norway as guarantors, and Venezuela and Chile as accompanying countries.

the Community of Latin American and Caribbean States (CELAC, Spanish acronym), UNASUR, the UN<sup>87</sup> and the EU who expressed their support.

Different strategies to resolve the Colombian conflict have been followed but the international actors' participation played a relevant role in different ways during the Santos government. This research agrees with the views of Bagley (2002) and Leguízamo (2002) arguing that international participation should not be seen as a definitive element in the solution to the Colombia's armed conflict. Although international mediation has been shown to be valuable, the task of reaching an end to the conflict can only be done by the actors involved themselves. Also citing Ramirez (2002), who considers that an international presence helps to solve humanitarian problems in the short term and bring the negotiating parties closer. The main issue is to have enough clarity about the international roles in order to prevent international actors from imposing their own' interests.

During the Havana peace process, the Colombian government accepted that the support of international actors was helpful, particularly for supporting the peace process when there were many problems in the domestic arena involving governmental opposition. It may be seen as a form of internationalisation that would have an effect on domestic policies by favouring the furthering of the peace negotiations. According to President Santos (2018a), it was a delicate diplomatic architecture that worked well, and without the international support it would have been impossible to resist the internal opposition. In parallel, to the Colombian strategy the accompaniment of international representatives was fundamental to achieve the peace agreements and work for implementation. President Santos (2019a, p. 317) highlighted the importance of an interdependent world, in which no country is alone and cannot claim to achieve great goals, such as peace, without companionship. Broad international support can facilitate and ensure the achievement of a peace agreement by supporting the complex implementation stage. As a leader, President Santos considered it necessary to inform and call for international participation and assistance in seeking peace in Colombia. However, the support was not an automatic answer, it was crucial to work on gaining this support by emphasising the win-win relation for other international actors. For President Santos (2018a), bringing countries from the region into the negotiations was useful not just for Colombia. For example, for Cuba it represented a good display of willingness to represent itself in front of the US; instead of

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<sup>87</sup> Santos asked the international community to recognise the efforts of the Colombian government and the need of support as a special request in the 69th UN General Assembly in 2014. In this way, the invitation to the participation of this international organisation was openly reaffirmed.

being revolutionaries bent on destabilizing the existing regional order, they could now be effective peacemakers. For the Europeans, who were pro-peace, the Colombian conflict represented the last armed conflict in the whole of the western hemisphere, which made it important to support.

During the peace negotiations international delegates shared their experiences in resolving conflicts and peace processes.<sup>88</sup> This decision was made by both parties before holding the formal meetings. Additionally, the government and the FARC-EP proposed some internationally experienced people in peace negotiations be present, including Pope Francis and Sri Sri Ravi Shankar.<sup>89</sup> It is worth highlighting that there was important economic support from international actors, organised by the UN through the Colombian Peace Fund, which consisted of four peace funds to aid the peace process. It comprised the World Bank fund, the European Union's multi-donor fund, the UN Fund, and the Colombia's Sustainable Fund.

Diplomatic support was also important, and President Santos requested an active role from the US in the negotiations. Roberta Jacobson, Secretary of State for Western Hemisphere Affairs, expressed the support of President Obama for the peace process.<sup>90</sup> In the last year of negotiations in February 2015, Obama sent a US special envoy Bernard Aronson to the peace process who had worked in the peace negotiations of El Salvador and Nicaragua.

The Havana peace process involved international support from the start of the exploratory meetings and resulted in the governmental planning and the consensus of the FARC-EP during the secret rendezvous. This support would continue throughout the entire peace negotiations. Similarly, international support would be an important part of the implementation of the peace process. In the signing of the final agreement, different global personalities were present, reaffirming their commitment to the next stage of peace building.

On 24 November 2016, the 'Final Agreement for the Termination of the Conflict and the Construction of a Stable and Lasting Peace' was signed in Havana. It included the

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<sup>88</sup> As argued by Clarke and White (1995), this represents an establishment of domestic and foreign relations in which inputs, from international knowledge are generating the production of outputs that will form part of the negotiations as decisive results.

<sup>89</sup> For example, a general came from Guatemala who was the commander of the Guatemalan military forces when they had their own negotiation, and a guerrilla leader who had participated in their negotiation. The same thing with delegates from El Salvador, Northern Ireland, South Africa. The visit of Sri Sri Ravi Shankar represented the highest-ranking unofficial visit to Cuba in all its history. One of the most influential people in India, who is well known in the UN, as a messenger of peace.

<sup>90</sup> In 2013, sixty-two members of the US Congress had previously declared political support to Obama's position about the peace negotiations in Colombia. They expressed their support through a letter sent to US Secretary of State John Kerry.

participation of the State Council and the Ministers to the President of the Republic of Cuba, the UN Secretary-General Ban Ki-moon, the President of the UN General Assembly, the President of the Security Council, the Minister of Foreign Affairs of Norway, the US Special Envoy, the EU Special Representative, and Heads of State for the accompanying countries and other countries of the region (OACP, 2016m; Liévano, 2018). Six days later, the agreement was ratified by the Colombian Congress on 30 November 2016.<sup>91</sup> Although the final agreement was generally well received internationally, the opposition parties<sup>92</sup> did not support the agreement nor its national implementation.

To sum up, the decision-making process understood internationalisation as a foreign policy strategy that would include mainly international support during the peace negotiations as a contributor in the national interest of resolving the armed conflict. The Santos government realised that it was necessary to expand participation of international support and cooperation for the peace negotiations. The agreement about expanding the international support resulted from an intrastate negotiation (interactions within the internal sphere of authority and institutions) and through negotiation with the FARC-EP<sup>93</sup>. Therefore, the peace negotiations resulted in agreements requesting the support of different organisations and countries bilaterally and multilaterally, according to the interests of the negotiating parties.

The negotiating parties agreed on the importance of having the support of the guarantors and accompanying countries, the US, the EU, international experts, leaders, and other international organisations like the ICRC. The role these international parties played was essential in securing a successful agreement in the Havana peace process and is discussed further in the next sections. In Chapter 6, the actions and influence of the UN are analysed in more detail due to its central role in the success of the Havana peace process.

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<sup>91</sup> There was no change in the agreement for the ceasefire and laying down of arms. It was added to the task of overseeing the enforcement of penalties imposed by JEP in coordination with the Office of the High Commissioner for Human Rights (OHCHR) in Colombia.

<sup>92</sup> They insisted on harsher penalties for FARC-EP leaders who had committed serious crimes. Also, they argue that the guerrillas should not be able to hold political representatives until they had complied with the sanctions imposed by the JEP.

<sup>93</sup> The Allison (1971) theory on governmental politics reflects the preferences and perceptions from domestic actors that would be considered necessary in order to govern. As mentioned above, in the Havana peace process there is a predominant role of the Executive branch from the government to make decisions on foreign policy involving international cooperation. However, it should consider the other negotiating party's role as Allison apud Neustadt (1971) states there is a need for sensitivity on policies and institutional changes to favour the involvement of different international actors.

### 5.1.1 Participation of the International Committee of the Red Cross during the Peace Negotiations

The International Committee of the Red Cross (ICRC) played a significant role since the beginning of the peace negotiations. The FARC-EP had problems with their involvement due to the covert Colombian military use of ICRC emblem during Operation Jaque in 2008.<sup>94</sup> During the exploratory meetings, there were also encounters between the FARC-EP and the ICRC to discuss and clarify the operation. The ICRC offered its services as a neutral body to facilitate the development of the secret negotiations between the Colombian government and the FARC-EP by supporting the guerrilla delegates' transportation (OACP, 2018; Santos J. M., 2019a, pp. 255-266). Following the FARC-EP negotiator, Julián Gallo (2020), in an interview for this research, during the discussion phase of the final agreement, the ICRC also assisted FARC-EP's Cuba delegation in visits to the guerrilla camps in Colombia to inform the other guerrilla members of peace issues. It enabled FARC-EP to conduct large meetings with forty or fifty commanders in Colombia to provide information about the progress of the peace negotiations. This situation was a collaborative effort with the guarantors in order to organise meetings in Colombia through military operations to collect and bring the commanders.

Additionally, the ICRC had an important role in resolving a crisis in the peace process in November 2014. The crisis was the result of FARC-EP kidnapping two soldiers in Arauca as well as a group of military personnel, including a high-ranking general in Chocó. President Santos unilaterally suspended negotiations until the hostages were released. According to Reyes (2014), the mediation of the guarantor countries and the ICRC action helped to free the kidnapped soldiers and to resume negotiations (OACP, 2014g). It meant a clear commitment to continue the negotiations.

The ICRC also supported other important humanitarian activities such as actively de-mining parts of the country, the search for victims of enforced disappearance or conflict-killing, and providing the government with advice on international law. According to the OACP (2013f) in several joint communiqués, the negotiating parties thank the ICRC for those important actions that would end up favouring the implementation of the agreement.

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<sup>94</sup> During the military Operation Jaque, the Uribe's government used the ICRC emblems illegally. The Colombian military forces deceived the guerrilla kidnappers in a mission for the rescue of the former Colombian presidential candidate Ingrid Betancourt and fourteen other people including high visibility hostages. According to the FARC-EP negotiator, Ricardo Téllez (2020), in an interview for this research, the FARC-EP did not trust the ICRC because there was no condemnation from the organisation or any serious announcement regarding what happened.

The de-mining activities were relevant to legitimise the peace negotiations because the organisation had the necessary expertise to lead on that issue. Secondly, on the discussion about victims, the parties requested support from the ICRC for the search and identification of missing people caused by the armed conflict. For that reason, the ICRC designed and implemented plans with the Colombian Institute of Legal Medicine to assist in that situation (OACP, 2015f). The collaboration of both organisations showed great professionalism, and it was considered by the negotiating parties as key success during the negotiations.

The ICRC, in conjunction with the UN mission and the guarantor countries, were involved in visits to the Transitory Standardization Zones and Transitory Points (ZVTN, Spanish acronym) which created the conditions to allow verification of its preparations for the reintegration of FARC-EP combatants (OACP, 2016j). It showed the reliance on international actors in the negotiations, who confirmed advances in the commitments.

Finally, both delegations agreed to deliver the final agreement to the Swiss Federal Council in Berne under Common Article 3 of the Geneva Convention of 1949, which gave further legitimacy to the agreements in the eyes of the international system. The ICRC had a close relationship with the Swiss Federal Council (Liévano, 2018, pp. 281-282) and assisted by providing legal services and support related to this matter.

Despite the differences between the ICRC and the FARC-EP, the ICRC ended up playing a fundamental role in maintaining the guerrilla presence at the negotiating table and solving crises between the negotiating parties. International support from ICRC facilitated the peace negotiations by creating favourable conditions to favour the negotiations. The ICRC ended up supporting various peacebuilding processes during the negotiations, including de-mining, searching for the disappeared and preparing the ZVTN for guerrilla reintegration. At the same time, the organisation provided legal advice to the Colombian government to bring the text of the agreement to the Swiss Federal Council.

### **5.1.2 Role of the Guarantors and Accompanying Countries during the Peace Negotiations**

For the Colombian government, international accompaniment was a practical necessary condition for building trust between the negotiating parties and within the different domestic policy actors to support the future negotiations. For both parties, it was appropriate to find an equilibrium with regards to international accompaniment in the peace negotiations. The idea dealt with finding a small number of countries that could act as negotiating

facilitators or witnesses with a passive role. As guarantors, the government selected Norway and the FARC-EP chose Cuba. As accompanying countries, the government choose Chile and the FARC-EP picked Venezuela.

Analysing the governmental mindset in accepting the choices of the FARC-EP,<sup>95</sup> President Santos in his decision-making process, also knew that Cuba had an interest in presenting itself as a country that could contribute to peace, beyond having contributed to the war during the conflicts in Central America and Angola in the 1970s and 1980s. For President Santos (2019b), Cuba was interested in restoring its reputation after being considered promoters of revolutions. It was important to know how to take advantage of that situation in order to get them to contribute to the negotiations. Similarly, the Colombian government had in mind that for Venezuela, the Havana peace process could be an opportunity to show the world that they could be peacemakers (Ankersen, 2019; Holguín, 2019).

Cuba and Norway, as guarantor countries, had great prominence during the whole peace process, even during the secret negotiations' stage. When these countries were selected as guarantors, their governments provided delegates to the negotiating table. These representatives had a presence but did not intervene in the dialogues. Instead, their job was to interject in crisis situations. However, they could make suggestions about the management of the negotiation table and they provided negotiating chronicles and reports. In this respect, they supervised the parties with respect to the negotiation based on what was agreed on in the general agreement, and when disputes involved rules governing the negotiations. As an example, during the negotiations, there was a critical moment during the peace process when the parties were discussing drug trafficking and the guarantors' actions ensured mediation to resolve the situation. On that occasion, there was a recommendation from the guarantors about using a certain language to be referenced in the text agreement. The guarantors' proposal was accepted and included in the agreement and stated: "the FARC-EP agree to break all ties with drug trafficking and cooperate with the state in solving the drug problem."<sup>96</sup> According to the advisor for the Office of

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<sup>95</sup> For the FARC-EP negotiators, Gallo (2020) and Téllez (2020), in interviews for this research, first the government proposed Sweden and the FARC-EP proposed Venezuela or Ecuador. Later on, the government proposed Brazil, México, or Costa Rica, but in the end both parties agreed on Cuba.

<sup>96</sup> According to the government's negotiator, General Naranjo (2019), in an interview for this research, he stated that his participation in the peace negotiations considered specifically the topic related to drugs. He also led on all matters relating to the security of the ex-combatants. President Santos decided to include the drugs issue based on the proven conviction that drugs have been the engine of violence particularly through its financing. Although this topic is part of an internal interest for Colombia, it also has global significance, consequently it had to be approach by the country's foreign policy.

the High Commissioner for Peace (OACP, Spanish acronym), Andrea Peña, in an interview for this research (2019), there was clear support from the guarantors in crisis situations, the guarantors had a role in the diplomacy and in generating confidence and support during the peace process.

First, Cuba had various roles as a guarantor country, it also served as the negotiation headquarters and consequently as the host of the negotiating delegations.<sup>97</sup> For the FARC-EP, the Cuban presence was particularly important, especially for their ideological affinity and their commitment satisfied the guerrilla's concerns about their safety. Cuba was able to offer the FARC-EP physical security and reliable governmental support. The Government's Chief Negotiator De la Calle (2019, p. 34), stated that Cuba managed to maintain an atmosphere of trust for both negotiating sides. Secondly, the Norwegians<sup>98</sup> as guarantors had excellent diplomatic professionalism and the necessary expertise in conflict resolution all over the world.

In addition, the Norwegian and Cuban representatives contributed to the negotiating table by proposing conditions of sincerity and trust for negotiating (OACP, 2014g). These conditions included the de-mining activities during the negotiations and the implementation phase and supporting the preservation of the negotiating environment (OACP, 2015a; 2015b). Most importantly for the negotiations as a whole, when the Venezuelan President Chávez died, the FARC-EP delegation requested the reaffirmation of the Venezuelan commitment from Chávez's successor, President Nicolás Maduro. (De la Calle, 2019b).

Venezuela and Chile were selected as the accompanying countries, alongside the guarantors Norway and Cuba to assist for the duration of the negotiations. These countries were frequently informed by the parties on progress of the agenda, issuing their recommendations and offering support with facilitation (OACP, 2013a; 2013b; 2013c; 2013f; 2013h; 2013i). Their role focused on being updated on events by listening to the parties' reports. They also provided the support of their foreign ministries, but they only visited the negotiating table from time to time (every month or two months) and were not based there permanently.

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<sup>97</sup> As stated by the Government's Chief Negotiator, De la Calle (2019b) in an interview for this research, initially, the FARC-EP wanted that the negotiations headquarters were in Venezuela due to the prevailing political relations; but the Colombian government rejected it, likewise the peace talks in Colombia.

<sup>98</sup> President Santos and his government considered in the beginning Sweden as guarantor country, but Ben Ami proposed to choose Norway. This country represents vocation and financial capabilities to help in peace projects. According to the international advisor, Ben Ami (2019) in an interview for this research, he travelled to Oslo and met the Norwegian Foreign Minister, at that time there was no Norwegian Embassy in Bogota. The embassy had closed because there was no business for them, but with the peace negotiations the Norwegians decided to reopen an embassy.

The FARC-EP had confidence in Venezuela since the beginning of the exploratory meetings and during the guerrilla's military operations moving them to the secret negotiation table. As a consequence, Venezuela collaborated in the FARC-EP's move to Havana using Venezuelan territory (contributed to by Venezuela, Cuba, Norway, and the ICRC). For the FARC-EP negotiators Albán (2020), Gallo (2020), and Téllez (2020), in interviews for this research, they argued that without Venezuela, and especially the Venezuelan President Chávez, the peace process would not have happened because the FARC-EP members would not have risked leaving their areas of safety for the talks. Secondly, as argued by President Santos (2019d), the Government Chief Negotiator De la Calle (2019b), and the international advisors Ben Ami (2019) and Ankersen (2019), in interviews for this research, on the governments side, Chile's presence was a counterweight to the FARC-EP's choice of Venezuela within the negotiations. The representatives appointed were: from Chile, Milenko Skoknic (2012-2014) and Luis Maira (2014-2016), and from Venezuela, Roy Chaderton.

Venezuela also played a supremely important role in structuring the peace process with the FARC-EP. As discussed in the previous chapter, President Santos decided to normalise relations with President Chávez to create an environment that could facilitate approaches to the guerrillas. For the guerrillas, President Chávez presented himself as a valid interlocutor, thus his mediation was essential to start and establish secret meetings.<sup>99</sup> According to the Government Chief Negotiator De la Calle (2019b), in an interview for this research, the Venezuelan government was decisive for political and military reasons. Politically, it guaranteed international coverage of the negotiating table, while militarily, should the negotiations fail, it allowed the FARC-EP a measure of military protection against a possible onslaught.

The participation of the guarantors and accompanying countries was important to initiate and conclude negotiations for the final agreement. The guarantors were considered the custodians of what was agreed, that was their function, but they could not go further. When there was an agreement in any negotiating point, it was signed by the Chief Negotiators

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<sup>99</sup> According to the FARC-EP negotiators Gallo (2020) and Téllez (2020), in interviews for this research, for the first meeting, the Colombian government's position was that it had to be abroad. But the FARC-EP demanded that the first contact should be made in Colombian territory. Finally, there was an agreement to do it in Colombian territory but on the border with Venezuela. The government delegation that attended entered through the Venezuelan territory. Then they would return to the Colombian territory in a region with the FARC-EP presence. There was another facilitation from Venezuela: a meeting in the Orchila, Venezuela, to conclude details about the beginning of the secret negotiations. After President Chávez death, President Nicolas Maduro, as the head of the new Venezuelan government, ratified the commitment to support the peace process.

of both parties, Iván Márquez and Humberto De la Calle on each page and delivered to the guarantors.

To sum up, the negotiating parties sought a balance of guarantor and accompanying countries. Within the decision-making process, the government examined the FARC-EP's decision on the participation of Cuba and Venezuela, feeling that it could be exploited given the international situation at that moment. These countries sought to improve their reputation internationally and for the peace process their participation was important to generate confidence and security to the FARC-EP. However, it was important for the government to counter the biases of these countries by promoting the participation of Norway and Chile. The guarantors had a diplomatic role, helping to prepare reports on the negotiations. They offered suggestions on the management of the negotiating table and acted as facilitators in times of crisis. Alternatively, the accompanying countries received reports on the progress of the negotiations, made suggestions and offered their facilitating actions.

During the Havana peace process, the participation of international actors promoted the smooth running of peace negotiations. The guarantor and accompanying countries were present from the beginning, accompanying the decision-making process of the negotiating parties. Despite their role as facilitators, they influenced the outcome by solving crises that could have ended the peace negotiations. Later on, other international actors such as the US, the EU, international experts, leaders, and other organisations joined the negotiations to support the peace negotiations. These actors will be presented in the next section.

### **5.1.3 Participation of the US, the EU, International Experts, Leaders, and other Organisations**

As mentioned above, bearing in mind the importance of international participation for the peace negotiations, the Santos government created a new approach in their foreign policy that tried to refresh the Colombian international panorama. The reorientation in international relations would be crucial to create conditions that would favour the peace negotiations. These international political changes enabled the restructuring of international alliances with the US, EU, international experts, leaders, and other organisations who ended up making contributions to the signing of the final agreement.

The Colombian government employed different tactics towards the US government to win its support in the Havana peace process. There were a number of important official

meetings oriented towards that supportive goal. On 3 December 2013, President Santos met with President Obama to ask for US support for the peace negotiations. Later, on 12 December 2014, there was another meeting where Sergio Jaramillo and Humberto De la Calle met with US Secretary of State John Kerry, in which Colombia asked for the direct support of the US to the peace negotiations. On 20 February 2015, the US named its special envoy to the Havana peace process, Bernard Aronson, to strengthen US support for peace purposes. Finally, on 21 March 2016, the US Secretary of State visited Havana and further expressed his support in discussions with both negotiating delegations (U.S Department of State, 2016).

The FARC-EP agreed with the US envoy's participation because they thought that it could be useful and necessary for negotiating. At that time, the FARC-EP negotiator Albán (2020), in an interview for this research stated that they thought that with US participation, the Colombian government could intervene to resolve two of the FARC-EP's worries. First, the negotiation as a mean of obtaining the freedom of specific guerrilla members that were in US jails, such as Simón Trinidad, Iván Vargas, and Sonia.<sup>100</sup> Secondly, the group also requested the removal of more than 100 guerrilla members from the Specially Designated Narcotics Traffickers list (SDNT) a.k.a: the Clinton list.<sup>101</sup> While in the end, none of these requests were raised at any point during the negotiations; the US presence for the negotiating parties was always considered important for ending the conflict. As the FARC-EP negotiator Albán (2020) outlined in an interview for this research:

You cannot ignore Colombia's dependence upon the US. The FARC-EP found the US presence in the negotiations important. It was important that they commit, because they are the ones who really rule everything. The thing is, we did not think they were not serious, because they never made reference to those two commitments that we proposed, and they could have. (Albán, 2020)

The US special envoy had his first meeting with each parties' delegations on 5 October 2016 and he would go on to have multiple further meetings. Aronson accompanied the peace

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<sup>100</sup> It was not a requirement to success because the Colombian government argued that this was a US problem. Additionally, the US envoy said that it was a criminal proceeding problem, in which he could not interfere.

<sup>101</sup> The guerrillas' point for requesting it was that they cannot advance in their reintegration into civilian life because being part of this list does not allow them to have a bank account or property.

negotiations and made diplomatic efforts towards the US Congress. President Santos (2019a, p. 294) stressed in his book about the peace process that the US special envoy was an extra support against political opposition in Colombia towards the peace agreement.

According to the FARC-EP negotiator Albán (2020), in an interview for this research, to counter-balance the presence of the US in the negotiations, the FARC-EP suggested the presence of a representative from the EU. Subsequently, the EU sent a special envoy to accompany the peace process, Eamon Gilmore. The EU also created a post-conflict fund and cooperated in peace implementation activities (Santos J. M., 2018a; 2019a, pp. 302-316). Moreover, the German government also sent a special delegation, and there were a number of other foreign dignitaries sent, but not as delegates.

There were also other experts from various international peace processes that accompanied the Technical Subcommittee for Ending the Conflict (STFC, Spanish acronym).<sup>102</sup> For example, there were experts who came from the El Salvador, Sudanese, and Nepalese peace processes (OACP, 2015b). These people collaborated with the actors based on their experiences of their peace processes, lessons learned, and best practices. This information was crucial because it was available from first-hand accounts in order to create a solid final agreement. The international participation of leaders and representatives from recognised organisations during the peace negotiations was a strategy that will increase significantly towards the end of the negotiations. Specifically, the strategy was planned in order to carry out the verification of the implementation phase lead by the UN Political Mission. For that purpose, José Mujica (former President of Uruguay), Felipe González (former President of the Spanish Government), the Conflict Analysis Resource Centre, the National Research Centre for Popular Education and the Kroc Institute for International Peace Studies of the University of Notre Dame (technical compliance monitoring<sup>103</sup>) were invited (Liévano, 2018, pp. 289-290).

International organisations were used as facilitators to help end the conflict. They also gave confidence and trust to the negotiating table by sending delegates. The Colombian government proposed UN participation, while the FARC-EP requested

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<sup>102</sup> The STFC was the negotiating party's subcommittee that contributed ideas to negotiate the end of the conflict. The UN also gave recommendations, through Jean Arnault and the UN General Javier Pérez Aquino since November 2015.

<sup>103</sup> The institute contributed as an international academic validator to reach the establishment of the fifteen-year implementation framework plan. It had indicators that could be marked as to whether the agreement was progressing or not.

UNASUR. Both organisations accepted the formal invitation and sent delegates as requested. The CELAC also supported the last issues related to implementation by sending their delegate. In the end, all of these delegates contributed to the discussion on the implementation of the monitoring and verification system (OACP, 2015e; 2015d).

After the collaboration from these organisations to conclude the agreement, the participation of a neutral third-party emerged as a necessary condition to accompany the negotiating parties to continue the move towards the end of the conflict. There was heated debate between the negotiating parties, particularly in deciding the choice of international partner, and how it would act including its parameters and red lines for participating. Automatedly, the UN was selected as the third-party to join forces for the implementation process through a political mission.

To conclude, Chapter 5 presented how the Colombian government carried out a reorientation of international policy focusing on the success in the peace negotiations. The international role was restructured in order to access wider international support from different actors in order to facilitate that success. The first section of the chapter described how the International Committee of the Red Cross (ICRC) played an important role in preserving the guerrilla presence at the negotiating table, solving crises between the negotiating parties and supporting peacebuilding processes. The second section demonstrated the guarantors and accompanying countries as facilitators who offered suggestions on the management of the negotiating table and, in times of crisis. Finally, the third section illustrated the role of the US, the EU, international experts, leaders, and other organisations to strengthen the negotiating parties' commitment and make contributions that enabled the negotiations to come to a successful conclusion. Finally, to prepare for the end of the conflict the government suggested the presence of the UN, while the FARC-EP requested UNASUR. In the end, they agreed that the UN would be the most favourable organisation to carry out a peace mission with CELAC participation. This is the subject analysed in the next chapter.

## CHAPTER 6. Preparing the United Nations Participation in the Peace Negotiations

This chapter focuses on the analysis of the case study of the UN international participation during the Havana peace process. It also examines the negotiations that occurred in the coordination of the UN Special Political Mission for promoting the end of the conflict between the Colombian government and the FARC-EP guerrillas. This case is reviewed to highlight the benefits of having involved the UN as an independent third-party; and how it increased the likelihood of success for the final peace agreement. The UN was chosen by the negotiating parties due to its experience dealing with disarmament, demobilisation and reintegration (DDR). Both negotiating parties agreed that there was no other organisation in the world that could dispute the power of the UN and the political weight of its peace-making agreements. The confidence and legitimisation brought about by the UN participation and use of the innovative Monitoring and Verification Mechanism (MM&V, Spanish acronym) is further reason for its inclusion as a pillar of this study.

To contextualise, Colombia had had a historically strained relationship with the UN, specifically related to the Office of the High Commissioner for Human Rights (OHCHR), which was inherited by the Santos government. These tensions originated from the end of the Caguán peace process and Uribe's government.<sup>104</sup> President Santos focused on forging stronger ties with the UN through the UN Permanent Representative for Colombia and the High Commissioner for Peace. In order to make international actors aware of the reality of the situation in Colombia, communication and information sharing became key. The UN Permanent Representatives for Colombia, Néstor Osorio (2010-2014) and María Emma Mejía (2014-2018), were tasked with gaining the understanding and sympathy of the international system for supporting the peace agreement.

When President Santos found early exploratory meetings to be successful, he decided to initiate secret negotiations to organise the agenda of the peace process. Meanwhile, the Colombian government increased the level of work contributed to the UN to consolidate the support and goodwill of the organisation and its members. Sergio Jaramillo, High Commissioner for Peace, initiated a series of visits to the UN from 2011 focusing on

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<sup>104</sup> Due to the human rights situation and the participation of the UN delegate James Lemoyne in the Caguán negotiations. Lemoyne continued during Uribe's government as advisor to the UN Secretary General in Colombia. The Minister Holguín (2019), in an interview for this research stated that Lemoyne, in searching for resources for the mission to Colombia travelled to various European countries and claimed that the Colombian government was akin to a paramilitary. When María Angela Holguín herself was ambassador to the UN, Colombia asked the UN Secretary General to withdraw Lemoyne. In addition, according to the High Commissioner for Peace, Jaramillo (2019), in an interview for this research, the tensions have been caused by the serious human rights situation in Colombia during Uribe's government, especially related to the false positives scandal.

two fronts: the first was to explore all possible options for the UNs' participation in the peace process, and the second was to initiate diplomatic approaches with the Security Council members to work towards a consensus for an eventual UN mandate according to the Colombian interests.

According to the UN Under-Secretary General for Political Affairs (2012-2018), Jeffrey Feltman (2019), in an interview for this research, Jaramillo anticipated the bureaucracy of the UN and garnered the support of several members and officials with decision-making powers. By informing the UN of the progress of the Havana negotiations he laid the groundwork for the successful initiation of the observation mission. The Minister Holguín (2019) claimed in an interview for this research, that Jaramillo travelled to understand how the mission and the resolution might emerge, and that he had anticipated how the way ahead might look once the agreement was signed. This led to a prominent UN role, before even the negotiating parties formally requested it.

The lobbying of the UN by the Colombian government came not only from ministers and senior officials, but also the President. In 2012, President Santos gave a speech at the UN where he announced the real possibility of reaching an agreement with the FARC-EP. According to the UN Permanent Representative for Colombia, Néstor Osorio (2019), in an interview for this research, the fundamental point of this action was to bring the attention of international leaders to the Colombian negotiations on the world stage, whilst seeking the attention of the UN Secretary General, and other influential players in the UN decision-making process.

This situation demonstrated the Colombian government's skilful management of international negotiation and the prioritisation of resolving its domestic interests in the UN arena. Approaches began with the High Commissioner for Human Rights and then with the Security Council members. These actions were organised through the participation of Maria Angela Holguín, the Colombian Minister of Foreign Affairs (Jaramillo, 2019),<sup>105</sup> and Maria Emma Mejía, the UN Permanent Representative for Colombia as confirmed by Jeffrey Feltman (2019) in an interview for this research.

According to the High Commissioner for Peace, Sergio Jaramillo (2019), in an interview for this research, at that time there was also an obvious estrangement between the UN and the FARC-EP. Since the end of the Caguán peace process, the UN and the guerrillas

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<sup>105</sup> Jeffrey Feltman was the UN Under-Secretary-General for Political Affairs during the Havana peace process. He headed the UN Department of Political Affairs.

had not interacted with each other. This condition was the result of two situations, the UN's distrust in the FARC-EP's real desire for peace during the Caguán negotiations, and the UN's decision to not contact any Colombian armed group without the knowledge and approval of Uribe's government. Although the UN represented a multilateral body with power to intervene in conflicts and human rights situations, governments had the power to reject their interventions or be autonomous in their decisions. Ultimately, governments are self-determining when making decisions related to inviting international actors to participate in domestic issues, and their sovereignty must always be considered by international organisations such as the UN. Likewise, where international organisations such as the UN provide international support to countries, they must be bounded by the conditions set by the requesting nation.

The Colombian government independently sought the UN support, beginning with the initial approaches by the Colombian government officials. There was lobbying from domestic actors within the international first level, which tried to maximise domestic interest by demonstrating that there were significant benefits for both parties, that is, Colombia wins and so does the UN.

The following figure summarises the approaches to the UN by the Colombian government.

**Figure 10.** Approaches to the UN by the Colombian Government.



Source: Own elaboration.

To summarise, improving the relationship between the Colombian government and the UN was essential to prepare the UN for its participation during the Havana peace process. As a result of the improved relationship, the UN expressed support for the peace negotiations and started its facilitating role by coordinating citizen participation in Colombia. They also

selected victims of the conflict that travelled to the negotiating table to contribute to the peace agreement. The next section addresses how UN support was coordinated during the peace negotiations.

### **6.1. The UN Support of the Havana Peace Process**

Following the Colombian government's approaches to the UN, led by Jaramillo, it was easier to get support from the organisation when the negotiating parties announced their willingness for the initiation of peace negotiations. As a result, the UN office in Colombia expressed its full support and willingness to contribute to the development of the peace process (La Vanguardia, 2012).

The Colombian UN office became essential in collating and summarising participant's inputs and ideas by organizing forums, "regional working tables" and selecting representatives from the victims of the conflict to make contributions to the peace negotiations. The forums and regional working tables were based on the strategy of expanding citizen participation for each point of the negotiating agreement. This promoted the implementation stage in different areas. These actions confirmed the effectiveness of the UN's strategy for mediation in dispute resolution and conflict prevention (UN General Assembly, 2012, p. 6). Under this strategy, the creation of mechanisms for participation and communication with society are adapted within a negotiating context.

In Colombia, the UN through its agency the UN Development Programme (UNDP) organised this UN strategy for promoting citizen participation on forums and "regional working tables". These mechanisms were implemented at local and national levels with the participation of all elements of Colombian society including victims of the conflict, human rights activists, non-governmental organisations representatives, academics, businessmen, and many other groups. The national forum and "regional working tables" were implemented between 2012 and 2016. As the new discussion point of the agreement approached, these forums were also fed by the proposals gathered by the "regional working tables" (OACP, 2012c; 2013h; Colombian Congress, 2012a; 2012b; Arévalo, 2019; Preti, 2019). The UN managed citizen participation effectively and gathered a number of peace building proposals to include in the negotiation of the agreement. The UN also acted as facilitator between the state and non-governmental actors. The organisation through their agencies transcended the simple maintenance of the peace by trying to resolve different human and social issues, with citizen participation organised by the UNDP.

This mediation strategy adheres to the first chapter of the Charter of the UN. This states that the UN was established with the aim of maintaining international peace and security, fostering friendly relations between nations and promoting international cooperation for the resolution of international economic, social, cultural or humanitarian problems, under the principle of respect for human rights and fundamental freedoms. Rosenau (1997) describes the UN as an entity that exceeds the quest for peace and also seeks to solve the problems that afflict humanity in all fields through different operational agencies. Therefore, the UN is also recognised as a reference point in managing cooperation and development among states.

Historically, Colombia's armed conflict victims have been the most interested party in resolving the conflict, this is why despite the negotiation progress between the government and the FARC-EP, the parties considered it important to include the victim's testimonies and proposals for the construction of the agreement. The Chief of Reintegration at the UN Verification Mission in Colombia, Alessandro Preti (2019) stated in an interview for this research that it was necessary to carry the voices of more than eight million victims—not an easy task. Hence, during the Havana peace process, the negotiating parties asked the UN office in Colombia, the National University and the Episcopal Conference to select sixty representative victims of the conflict. The request was made taking into account the work of these organisations with victim's associations.

Aside from the support described above by the UN in Colombia, other UN offices with representation in Colombia made contributions to negotiations, working with civilians in areas with a history of conflict, through educational programmes and the opportunity for participation at the negotiation table. All these activities were the result of the negotiation and rapprochements between the Colombian government and the UN in New York, which reflected in the country's field work.

In addition to all the support provided by the UN offices in Colombia to the Havana peace process, the role of the Coordinator of the UN office in Colombia, Fabrizio Horschild, is important to highlight. The High Commissioner for Peace, Jaramillo (2019) in an interview for this research described that he successfully defended the peace process whenever crises arose between negotiating parties and heavy criticism from the opposition.<sup>106</sup> This input was essential to support the UN mission in the second level (national level).

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<sup>106</sup> As Putnam (1988; 1993b) argued, international actors have different roles that would affect negotiations in the level two (national level).

According to President Santos (2019d) and the advisor for the Head of the UN Mission in Colombia, Mauricio Artíñano (2020),<sup>107</sup> in interviews for this research, when visiting the UN General Assembly, the UN Secretary General and the representatives of various countries said that the only good news that the world had at that moment was related to the Havana peace process. This further supported the Colombian position for negotiating differently distributed impacts from the UN. For the UN, the Havana peace process would be a great opportunity to demonstrate their role in a successful peace negotiations.

The favourable comments coming from UN officials pleased President Santos, and also generated a lot of empathy for the process with other Colombian members of government. The UN Permanent Representative for Colombia between 2010 and 2014, Néstor Osorio (2019), in an interview for this research stated that as a result, since 2011 the Colombian government has been preparing the ground for the UN to have a more institutional and concrete presence in the peace negotiations.

The next significant step towards a resolution came in a meeting during the II CELAC Summit in Cuba on 28 January 2014. This event resulted in the first formal request for a UN mission to support Colombia, and President Santos spoke of the possibility of UN accompaniment to prepare the end of the conflict. Here President Santos, the Minister of Foreign Affairs Holguín and the UN Permanent Representative for Colombia María Emma Mejía (2014-2018) met with Ban Ki-moon.

For the negotiating parties in Havana, the UN's support was essential in legitimising the peace process. For the UN, participation in these negotiations, which were almost concluded, represented an opportunity for re-establishing international trust in the organisation. According to the UN Permanent Representative for Colombia María Emma Mejía (2019), in an interview for this research, at this moment, for Ban Ki-moon, the high probability to successfully conclude the Havana peace process became an obsession; because in his ten years at the UN he had not closed a peace process related to peacekeeping nor a mission.

This political scenario generated great expectations in the UN and interest in participating more actively towards the end of the Colombian conflict through a prospective political mission. In other words, as mentioned by Captain Omar Cortés (2019),

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<sup>107</sup> Mauricio Artíñano was the Special Advisor for the UN Special Representative of the Secretary-General and the Head of the UN Mission in Colombia, Jean Arnault.

Member of the STFC, in an interview for this research, it was a golden opportunity in a continent where the UN has not had a successful story.

Furthermore, UN facilitation during the peace negotiations could be seen as a preparation for a more direct UN involvement with a Special Political Mission. The next section outlines what drove domestic actors to involve a UN mission, and how both negotiating parties and the UN organised the end of the conflict.

## **6.2. Approaches Towards a UN Special Political Mission in the Havana Peace Process**

In discussions outlining solutions to end the conflict, the parties requested the presence of the UN and UNASUR at the negotiation table. The idea behind this was to get independent contributions and proposals, and to involve them in the discussions on the monitoring system, verifying the ceasefire and hostilities. For the UN, this requirement was framed as the purpose of the organisation as a mediator in conflict resolution (UN General Assembly, 2012, pp. 21-23). The participation of the UN and UNASUR<sup>108</sup> at the negotiation table can be considered as a variable within the internationalisation of conflicts, because the negotiating parties had the capacity to convene external actors to participate in a domestic matter by consensus. In response to the Colombian governmental request, the UN appointed Jean Arnault<sup>109</sup> as the UN representative who started participating from 17 August 2015 (Franco, 2015).

The UN and UNASUR represented an important source for the peace negotiations, both organisations contributing proposals for ceasefire monitoring and the verification mechanism, particularly in the STFC created for that purpose. This subcommittee discussed the mechanism for the FARC-EP lay down of arms and who should be the receiving agency (OACP, 2015d; 2015e; Franco, 2015). As conferred by the Chief of Reintegration at the UN Verification Mission in Colombia, Preti (2019) in an interview for this research, the parties agreed that the organisation that would receive the weapons should have experience in such matters and needed to be internationally recognised. However, as mentioned above for the FARC-EP the international cooperation with different organisations caused suspicion

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<sup>108</sup> Uruguay at that time was the nominee to hold temporary presidency of UNASUR and decided to appoint José Bayardi as delegate to the Havana peace process.

<sup>109</sup> On 12 July 2015, the parties under negotiation requested UN Secretary-General to appoint a special delegate. Arnault was appointed and he has been head of the UN Mission in Colombia since 9 March 2016 (OACP, 2015e; Franco, 2015; UN Security Council, 2016b). Jean Arnault would become close to General Flórez, and to the FARC-EP, it represented a way to reach agreements easily.

because there were ideological divisions. The FARC-EP negotiator Julián Gallo (2020), expressed in an interview for this research that, the UN suggested caution, particularly following similar UN cases in Africa and Asia, in which North American intervention was carried out under the guise of the UN.

The UN had an important role to play in the STFC deliberations, although this subcommittee had been organised to produce recommendations for use by the official delegates from the negotiating parties. These suggestions have covered the negotiating points in a kind of direct negotiating agreement where the UN prepared suggestions and advised both negotiating parties. According to the governmental member of the Technical Subcommittee for Ending the Conflict, Captain Cortés (2019), in an interview for this research, when he participated in the STFC, the subcommittee gave recommendations for decisions to be made by the negotiating team, but at the end of the day the STFC talked and defined the steps, in a kind of direct negotiation, in mini subcommittees without mediation. For example, there was an opportunity where the STFC defined seven chapters or the skeleton of the ceasefire: introduction, rules that governed it, monitoring and verification, arms abandonment, logistics, and a number of other points.

The following table summarises the UN stages and results during the Havana peace process.

**Table 3.** Stages of UN Support for the Havana Peace Process

<b>Stages of the United Nations Support for the Havana Peace Process</b>	
1.	UN support— UN Office in Colombia (First stage of the peace process)
2.	UN support for the participation of the civil society (UNDP)
3.	Selection of victims of the conflict
4.	UN agencies support
5.	UN presence in the negotiating table

Source: Own elaboration.

As suggested by the UN Permanent Representative for Colombia, Mejía (2019); the government member of the Technical Subcommittee for Ending the Conflict, Captain Cortés (2019); and the FARC-EP negotiator, Gallo (2020), in interviews for this research, the parties agreed on the need for choosing a recognised organisation that would coordinate the end of the conflict and receive the FARC-EP weapons. Since the beginning, the FARC-EP had preferred UNASUR, OAS or another Latin American solution and

mediation. In the end, as previously mentioned, the government decided to involve the UN in this issue but with a Colombian leading role in their participation. According to the international advisor, Jonathan Powell (2019), in an interview for this research, President Santos was advised to push a pragmatic and practical argument in support of the UN participation. He pushed for the UN to be selected due to the need of to have an experienced organisation dealing with the disarmament, demobilisation and reintegration (DDR) management in a country like Colombia where these operations would be complicated and expensive. Therefore, it had to have an independent third-party role, and be large enough to react quickly with sufficient resources available large, and no one had the capacity like the UN.

These arguments for the UN preference considered the UN mandate and primarily its UN Peacekeeping Operations and UN Special Political Missions objectives. They laid emphasis on leading and supporting the achievement and maintenance of peace through political solutions over those of military and technical efforts. This organisation could establish the policies and facilities necessary for conflict resolution through mediation, ceasefire monitoring, assistance in the implementation of peace agreements, the management of violent conflicts and ongoing effort towards peacekeeping (High-Level Independent Panel on UN, 2015, pp. 11-12). All these UN efforts and resources to achieve a political exit to conflicts were considered when the Colombian government expressed the importance of the UN participation in coordinating a possible peace mission.

One important factor that influenced the Colombian governmental proposal was related to a new UN approach in resolving conflicts around the world. In 2012, in an effort to establish general recommendations for the mediation of conflicts and peace processes, the UN Secretary-General made a report to the General Assembly emphasizing the importance of the prevention and resolution of conflicts. The report entitled “Strengthening the Role of Mediation in the Peaceful Settlement of Disputes, Conflict Prevention and Resolution” arose in response to the General Assembly’s interest in adopting a first resolution on mediation. This report represented a new vision on managing conflicts inside the organisation,<sup>110</sup> and is a document that proved the intention of changing approaches at different levels that affect the conflict resolution.

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<sup>110</sup> The UN Secretary-General stated in the report that it is time to evaluate the UN mediation efforts because conflicts continue to challenge the international community (UN General Assembly, 2012). The report presents basic points that should be addressed in any mediation in national or international conflicts, based on experiences and lessons learned from mediation in previous conflicts and peace processes.

Specifically, referring to the report's purpose, it reflects on the improvement of the mediation processes, seeking the greatest possible success rates in reaching an agreement and ensuring its support, respecting each individual case. In addition, a guide for effective mediation in conflicts is annexed including all the necessary steps for this purpose (UN General Assembly, 2012, p. 20). According to the UN Secretary-General, the various UN offices and institutions should consider appropriate and necessary actions to implement international cooperation. Thus, the new UN approach could be presented as an opportunity to be seized in the Colombian case. It was also justifiable insofar as it would not be the same UN operating system that they had applied previously in conflicts where they had not had satisfactory results.

All these arguments for supporting the UN participation in a peace mission convinced the parties to search for alternatives in applying this new approach in Colombia. The FARC-EP accepted the UN involvement, but included a CELAC participation in the mission. The Colombian government established two additional conditions for the CELAC involvement, it could not come from a neighbouring country or security observers from the Colombian state. There was a consensus to create a tripartite commission made up of members of the national government, the FARC-EP and coordinated by the UN. This decision was influenced by the UN's experience in these matters and its previous diplomacy carried out at the negotiating table, and the UN agreed on the innovation of the tripartite MM&V.<sup>111</sup> Moreover, the logistics were mainly created by the Colombian military forces headed by General Javier Flórez.<sup>112</sup> The UN would also be the organisation in charge of receiving the FARC-EP weapons. According to President Santos (2019d), in an interview for this research, this decision was made because he already knew that the FARC-EP did not believe in the Colombian justice system, or the government, so the participation of an international organisation that could generate trust in that point would be key.

As a result of the consensus on MM&V, the delegations formally requested from the UN Secretary-General and the President of the UN Security Council, the participation of this organisation with a Special Political Mission. This application was sent by way of a letter

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<sup>111</sup> There was a similar experience enriched for the complexity of the Colombian case according to its characteristics. An experience of disarmament on a tripartite basis with the Nepalese Maoists which represented the first to be implemented in Asia. There was also a tripartite mechanism in the Philippines to carry out the laying down of arms.

Through Norwegian cooperation, there was a contact with the UN experts who had worked on these tripartite mechanism cases in Asia. These experts travelled to Havana to advise on the peace negotiations. The experts included the National Security Coordinator of Guarantees for the UN Mission in Colombia, Yohn Medina.

<sup>112</sup> Quoting Minister Holguín (2019) in an interview for this research, "It looked like in the Colombian state were two parties, the military and the FARC-EP negotiating the mechanism. However, it worked faster, and in the tripartite all three are involved, its methods were practical".

from the Colombian government on 19 January 2016. The UN Security Council by unanimous decision approved the participation of the Special Political Mission in the tripartite mechanism to monitor and to verify the definitive bilateral ceasefire and cessation of hostilities,<sup>113</sup> and the laying down of arms according to the resolution 2261 of 2016 (UN Security Council, 2016a). According to Minister Holguín (2019), in an interview for this research on 25 January 2016, the resolution was unanimously approved, being a limited and clear resolution.

According to the Chief of Reintegration at the UN Verification Mission in Colombia, Preti (2019); the High Commissioner for Peace, Jaramillo (2019); and the UN Under-Secretary General for Political Affairs, Feltman (2019), in interviews for this research, the support of all the Security Council members was the result of negotiations by representatives of the Colombian government in that body. It is appropriate to mention that since the UN Security Council was created, after the Second World War there have been no events, where the Security Council has issued more unanimous resolutions in favour of a specific country than the Havana peace process. President Santos highlighted in an interview for this research that the UN response was vital for the negotiation's success:

Colombia broke the record of unanimous resolutions, in terms of the UN Security Council resolutions supporting the Havana peace process. It shows the UN level of commitment during and after the negotiations. That was important, because I believe that, without such strong international support, due to the normal opposition that processes of this type generate internally, it would have been much more difficult to reach an agreement. In other words, the international component was literally decisive. (Santos J. M., 2019d)

The UN mission had a duty to ensure that a ceasefire was maintained beyond the agreement and to accompany its implementation going forward. As agreed in the negotiations, the mission would consist of unarmed observers from the CELAC for verification and monitoring the implementation of the agreement. It needed to consider the request of the Colombian government to not include observers from neighbouring countries as mentioned above (UN General Assembly, 2012; OACP, 2016a). Furthermore, it shows how the

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<sup>113</sup> The sixth point of the agreement considers the UN monitoring and verification of the bilateral ceasefire and hostilities. It focuses on the UN mission for the monitoring and verification as part of a tripartite mechanism (UN General Assembly, 2012; Preti, 2019; OACP, 2016f; Feltman, 2019)

domestic decisions were influenced throughout the implementation which was coordinated by the UN (this issue will be developed in section 6.4).

Domestic actors, such as the government's negotiator General Naranjo (2019) stated in an interview for this research the importance of having a tripartite mechanism coordinated by the UN mission. This spread the international support from other countries bilaterally and multilaterally. He went to the UN Security Council to present three mission reports. In his words:

There was unanimous support, which was unusual. I think it was a great success that the verification mission led by the UN was a tripartite model (participation of FARC-EP, Colombian authorities and the UN). It was not only an accompaniment of the UN, but also a bilateral and multilateral support. For example, the EU has been fundamental along with each country in specific areas. (Naranjo, 2019)

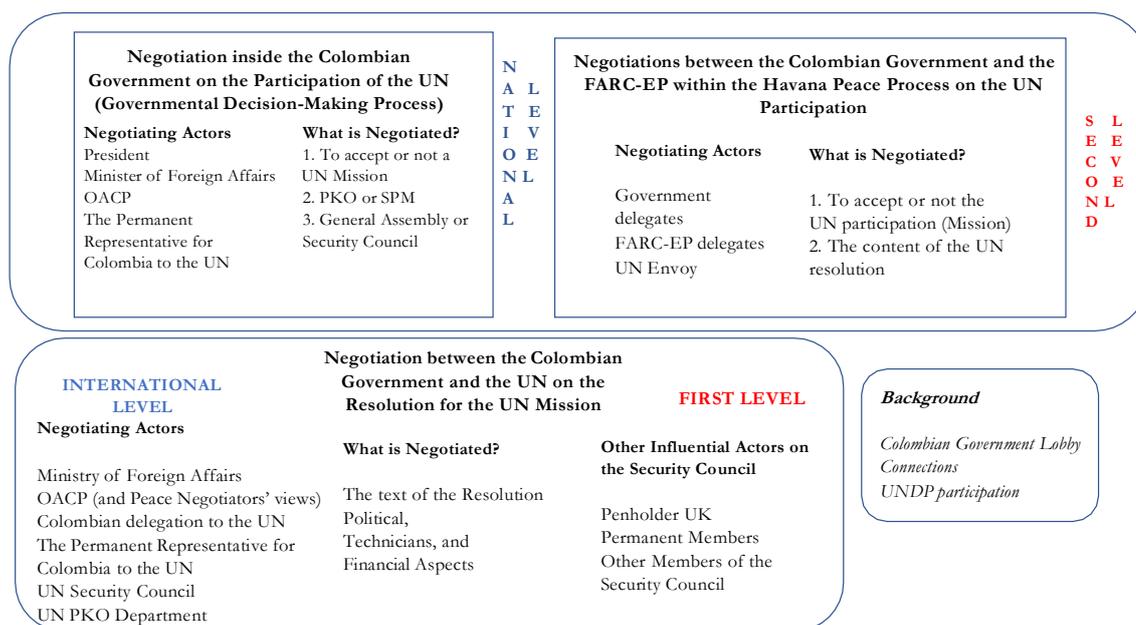
First, there were other UN contributions from the United Nations Development Programme (UNDP), United Nations International Children's Emergency Fund (UNICEF), the UN Office on Drugs and Crime (UNDOC), and the Food and Agriculture Organisation (FAO). The contributions related to the socialisation of agreements and specifically with victim communities. Therefore, as stated by the advisor for the OACP, Peña (2019) and the Chief of Reintegration at the UN Verification Mission, Preti (2019), in interviews for this research the work of education and socialisation on the scope of the agreement between the government and the FARC-EP, especially the issue of Transitory Standardisation Zones and Transitory Points (ZVTN, Spanish acronym), was important for the communities affected by the conflict in order to support the process negotiation. Secondly, as mentioned before, UNICEF working together with the ICRC participated directly in a technical table for the departure of children under fifteen years of age from FARC-EP camps. Thirdly, processes to replace illicit crops worked in parallel to the humanitarian demining process (OACP, 2016e).

To sum up, this section outlined the understandings between the negotiating parties on the creation of a UN Special Political Mission mandate. The section also highlighted how through consensus, was created a tripartite commission made up of members of the national government, the FARC-EP and coordinated by the UN. The next section 6.3 explains the different negotiations that took place to integrate the UN as an international actor for concluding the Havana peace process successfully.

### 6.3. Negotiations in the Domestic and International Arena for the UN Mission

The Havana peace process included three types of negotiations. Firstly, an internal negotiation involving officials from the Colombian government making decisions about the participation of the UN. Secondly, the negotiations between the Colombian government and the FARC-EP for ending the conflict. Finally, a negotiation between the Colombian government and the UN to look for the UN Security Council support, seeking the approval of a UN Special Political Mission. In this final negotiation, the Colombian government would be the only party legally responsible for negotiating with the UN. However, this would keep the principle of preserving what had been agreed between the two negotiating parties. Figure 11 illustrates the previous three negotiations announced, specifying the negotiating actors and its negotiated topics for each case.

**Figure 11.** Negotiations in the National and International Level for Peace.



Source: Own elaboration.

### **6.3.1 Decision-Making Process Inside the Colombian Government regarding the UN Mission**

As mentioned above, President Santos had considered since the beginning of the peace negotiations the possibility of having UN participation for ending the conflict. This was clear from as early as 2011, when the Colombian government created a direct channel of communication with the UN through Sergio Jaramillo, the Colombian High Commissioner for Peace and the UN Permanent Representatives for Colombia. At the same time, in 2012, the government started to prepare the groundwork by including the UN work during the peace negotiations through the UNDP agency in Colombia, promoting the forums and regional working tables for the citizen participation, and contributing with ideas for the peace negotiations. It shows that this was a carefully pre-planned decision that involved early preparation alongside extensive lobbying of the UN to secure direct support.

Despite this, the government's political positions regarding a neutral third-party involvement for completing the end of the conflict were divided by two important issues. First, there were different views on the suitability of including the UN in the process, and if they were to be included, how they would go about it. Second, there was a discussion about the category of the UN mission and its mandate's origins being the UN General Assembly or the UN Security Council. In international negotiations there are numerous actors from various origins who pursue specific agendas, who move strategically to negotiate in different scenarios (levels). As Putnam (1988) highlights, there are different discussions in level two (national level) to carrying out negotiations in the first level (international level). It is part of a first phase of negotiations within the second level where the costs to be distributed are evaluated.

Although the UN was recognised as a multilateral international organisation with an excellent record of peace processes, it generated some distrust from members within the Colombian government. According to the Government's Chief Negotiator, De la Calle (2019b) and the UN Permanent Representative for Colombia, Mejía (2019) in interviews for this research, at the beginning the UN was seen as a controlling organisation for failed states or states with many difficulties. Many felt Colombia did not belong to that category, and had significant ideological, military and economic strengths. In De la Calle's words in an interview for this research:

There was some resistance from the government, due to the possibility of very intrusive interference. However, that changed over the time, until reaching a point that allowed me to ensure that without the UN this agreement would not have been sustainable. The UN action and, in particular, the Security Council gave an international foundation to the agreement. (De la Calle, 2019b)

Analysing that position shows that in the end the argument favouring UN participation was stronger, despite doubts from certain government officials. It's important to understand why the Colombian government decided to expand the UN support to a level of admitting a UN peace mission. In order to do this, we must understand both points of view by considering the points for and against for the UN participation. At this point, Colombia could take advantage of a possible negotiation in an international level considering the Schelling Conjecture as mentioned by Putnam apud Schelling (1988), which considers the heterogeneity in domestic level to favour the negotiations in the first level where concessions are not accepted in the domestic level, thus generating an advantage to negotiate in favour of the internal sphere.

Among the issues that were discussed at the internal government level against the participation of the UN at this negotiating stage, was another key aspect regarding the UN sanctions. President Santos (2019d), in an interview for this research, stated that this situation caused concern especially for the Minister of Foreign Affairs María Angela Holguín, who was familiar with the UN system, as the UN Permanent Representative for Colombia (2004-2006). She had seen that the UN peacekeeping missions that come from the Security Council mandate tend to put the government under surveillance, and pressure the negotiating parties' actions. In addition, the Minister of Foreign Affairs discussed with President Santos the UN's possible actions during his government and hypothetically in the next Colombian governments (considering the fifteen years planned for the implementation of the peace process). It would be a high risk to face a Security Council considering that Colombia was not complying with the resolution's mandate. The Minister Holguín (2019) in an interview for this research argued that the UN's presence as a whole for the government has associated costs, but for the FARC-EP does not. In her words:

The day the UN and the Security Council consider that the commitments have not been satisfied, that is the day that the sanctions begin, because that is how the Security Council works. The Security Council prevents countries from investing, they would not allow international loans. Considering everything on the economic front, it seems to me very risky to leave the UN in Colombia for X number of years. Verification and monitoring are one thing now but that will be punctual. If they are going to monitor disarmament, weapons abandonment, the guerrillas going to the areas, it is something that will last a maximum of one year. But from that point we have to see what the FARC-EP would ask for in consideration. (Holguín, 2019)

At this stage, the government was discussing the participation of the UN without directly proposing that idea to the FARC-EP. Then, at the beginning it was simply considered a UN mission that would seek to verify the guerrilla side. However, at that early stage, it was not really considered in this way as in any other peace negotiation, the counterpart would also require verification of the government compliance to the peace agreement. At this time, the Colombian Minister of Foreign Affairs' view agreed with Putnam apud Matthiesens' (1988) argument that the consequences of a first level negotiation could lead to unimaginable runaway domestic and international implications. Essentially the disagreements with the idea from within the Colombian government were focused on the possible future consequences on the country itself.

Additionally, positions against the UN role in a possible mission, were formed on ideas related to Colombian sovereignty and autonomous decisions that could be contingent on the authority of a supranational entity such as the Security Council.<sup>114</sup> However, given that Colombia is part of the UN system, accepts it and admits it, in this case it is also accepted that the UN international support would be crucial for reaching a successful peace agreement, foregoing considerations that the authority of the national government may be compromised in a future time.

As a result of these strong internal disagreements regarding UN participation, a further point of discussion was required, to determine the UN mission length. The Minister Holguín (2019) argued in an interview for this research that UN missions never

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<sup>114</sup> Quoting Rosenau (1997, p. 226), "It is one thing to support intrusions upon the sovereignty of other states, but it may be quite another to be receptive when such actions occur at home. The idea that one's own internal affairs justify outside intervention is likely to evoke far more powerful reactions than will any general principles about sovereignty to which one adheres".

end, and they often remain in a country for a long time.<sup>115</sup> Consequently, the UN is successful the day it leaves a country because to remain would mean that the institutions were not strong enough to deal with the issues.

As outlined above, there were a number of points both against and in favour of the participation of a UN mission, from various government officials. According to the High Commissioner for Peace, Jaramillo (2019), in an interview for this research, the argument in favour for the peace solution was already raised and had been progressed with members of the same UN Security Council. Supporting this, General Naranjo (2019) as governmental plenipotentiary argued in an interview for this research that international support was seen as a constructive accompaniment. Not only as a prosecutor auditing the governmental and the FARC-EP actions, but also engaged in the transformation side of the process for compliance with the agreement.

Finally, in the light of ideas in favour or against a UN mission, the last decision unit maker President Santos (2019d) claimed in an interview for this research that although those objections from the Colombian Minister of Foreign Affairs could be valid, they could not be compared to the benefit of having a support from an organisation like the UN. Adding that the cost of the UN participation was going to be minimal for Colombia.

When the discussion about the UN participation in a mission was accepted, another internal discussion arose about the type of mission and its origin. That is, if the resolution would be a Peacekeeping Operations (PKO) or a Special Political Mission (SPM), and if it would be in fact through the General Assembly or the Security Council. As argued by the Minister Holguín (2019) in an interview for this research that even knowing that voting is difficult in the General Assembly, the Havana peace process had enough support to develop a mission through the General Assembly. It was also considered better to go through the General Assembly and avoid the UN Security Council control and its sanctions. The Havana peace process would generate unanimity in the General Assembly, and the economic funding would follow. The discussion of this topic between the Minister of Foreign Affairs and President Santos was difficult and led to her offering her resignation. However, the President did not accept it, and instead asked for her continued participation in the peace process as plenipotentiary.

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<sup>115</sup> This argument will be developed in the next negotiating stage, when the extent of the mandate was solved. The Colombian government make it clear in the UN resolution that it would be its own autonomous decision to extend or not the UN mandate (UN Security Council, 2016a).

During the governmental discussion about the UN mandate, the government analysed the respective roles of the Security Council and the General Assembly in order to make a final decision. As argued by the UN Permanent Representative for Colombia, Mejía (2019), in an interview for this research, their discussion considered the foreign policy doctrine from the Ministry of Foreign Affairs of Colombia, which focused on the General Assembly, and the subordination to the Security Council had weak support. It became clear that there was a need to consider a change in the international orientation of the Colombian foreign policy. On the one hand, for the Havana peace process the Security Council was important for its capacity for implementing new measures. It functions as a Board of Directors where decisions are made, and budgets are allocated. On the other hand, the General Assembly produce political resolutions, could endorse them, but did not provide budgetary allocations.<sup>116</sup> It could not ensure financial aid to create a tripartite mission for verification and monitoring.

The following table summarises the key points discussed within the Colombian government concerning the UN mission.

**Table 4.** Participation of a UN Mission.

<b>Participation of a UN Mission</b>	
<b>Opposing positions</b>	<b>Supporting positions</b>
UN controlling failed states (States with many difficulties), intrusive, interference in domestic politics.	The UN would not intervene without the Colombian government making an autonomous decision
Sanctions from the Security Council—monitor and pressure the country, prevent countries from investing, no international loans	UN is the most internationally recognised organisation. Perfect to act as a neutral third party, high political weight
Fifteen years of different Colombian governments under pressure from the Security Council	The settlement of the agreement was possible thanks to the indirect support of the Security Council
Risk that the Security Council will judge the government's non-compliance with the peace agreement	Security Council strengthens the agreement internationally, legitimising it.
Costs for the Colombian Government, not for the FARC-EP guerrillas	Important participation to give sustainability to the peace agreement (mission reports every three months)
Risk of sovereignty and autonomy of the government from a supra-state organisation	Constructive accompaniment during and after the peace process

<sup>116</sup> Sometimes this happens in the General Assembly, but for other purposes, specifically to create a UN organism, for example: United Nations Technical Assistance (UNTA), The Food and Agriculture Organisation (FAO), UN agencies.

Issues that the guerrillas hoped to include in the resolutions. Example human rights topics	Security Council has the capacity to implement measures. Directed budgets to finance a middle-income country (Fifth Commission)
	Mission documents would be agreed upon first by the negotiating parties, limiting the UN participation. Colombian tailor-made
	The FARC-EP would not hand over weapons to the Colombian military forces
	It represents a guarantee, gives security and confidence on compliance for the negotiating parties. Success in implementation
	Extensive UN experience, best practices, and recommendations for verification stage
	Tripartite mechanism would allow parties to decide on CELAC (non-armed observers)

Source: Own elaboration.

Ultimately, in making the final decision on the UN mission category and the origin of the UN mandate, the Colombian government listened to opposing views presented by both national and international actors. As part of the discussion between the UN and the Colombian government, the UN Under-Secretary General for Political Affairs, Jeffrey Feltman, other UN members, and the representative from the UK (UN penholder), recommended Colombia ask for the mandate of the Security Council.<sup>117</sup> Likewise, on a national level the previous UN Permanent Representative for Colombia Néstor Osorio (2010-2014), the UN Permanent Representative for Colombia Maria Emma Mejía (2014-2018), and President Santos's international advisors agreed that the Security Council mandate was the best decision to go for. This was shown to be the better and timelier option, considering that negotiating with all members of the General Assembly is a significantly more drawn-out process. Taking the route through the Security Council would also allocate budget amounts immediately through the UN Fifth Commission as a technical process for a resolution.

Following the discussion and agreement of the Colombian government on the possibility of a UN mission, the government plenipotentiaries needed to negotiate with the FARC-EP the participation of this organisation towards the end of the conflict.

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<sup>117</sup> There is a procedure in the Security Council whereby when it is determined that an issue will be an object for a resolution, there is a country that is in charge of leading the resolution. President Santos and the High Commissioner for Peace, Sergio Jaramillo were pro UK, and they suggested them as the penholder. It was important that this position was held by one of the five permanent members of the Security Council.

In the beginning, the FARC-EP did not trust the UN. To counter this initial hostility, the UN sent a special envoy to advise the negotiating parties based on a diplomatically neutral position. This situation produced a constructive interaction between the Colombian government, the FARC-EP and the UN, that would ultimately generate a win-win for both parties, as explained in the next section.

### **6.3.2 The FARC-EP and the Colombian Government Negotiating the UN's Participation**

Following agreement within the Colombian government in favour of UN participation to conclude the Havana peace process through a UN Special Political Mission, it was also necessary for the parties to negotiate and agree about the UN as third party, and its conditions to accompany the end of the conflict. It is important to remember that in the final stages of the negotiations, the STFC from both negotiating parties were discussing the agreement conclusion and its six points. There was a distrust from individuals from both negotiating parties about the UN participation; the Colombian military forces feared that the UN would act in favour of the FARC-EP and likewise, the FARC-EP believed the UN would act in favour of the military.

In the beginning, the UN was uncertain about the FARC-EP, and in particular they saw its participation during the peace process as a risk. However, the UN gave confidence to both parties during the negotiations, especially through pilot projects that were useful for preparing the implementation stage. UN efforts to de-escalate the conflict through activities such as the demining programme proved to the FARC-EP that the organisation was a valid peace interlocutor. These effective programmes increased domestic confidence in the UN and helped define the limits of their role outside of the negotiating table, and in the UN mission.

In order to increase the negotiating parties' confidence in the role of the UN, UN envoy Jean Arnault took responsibility for explaining their procedures for direct support in the peace process. His work in this role has widely been regarded as exemplary, for his conduct and innovative strategies in advising the peace process and the UN mission delegates—without intervening directly in the parties' negotiation protocols. According to the Government's Chief Negotiator, De la Calle (2019b), in an interview for this research, the UN delegate sat with both negotiating parties, and all the documents that were addressed

to the UN were first agreed, with the assistance of his mediation, between the Colombian government and the FARC-EP.<sup>118</sup>

These documents negotiated the UN's participation with a limited scope and specified the agenda of the discussions. These included the handover of FARC-EP weapons and the coordination of the MM&V. As mentioned beforehand, initially the government found it difficult to convince the FARC-EP to accept the UN mission. But by this point, the FARC-EP understood that the Security Council participation could be relevant. Through the UN mission, the FARC-EP had received a guarantee that they were not going to hand over their weapons to the Colombian military forces. The UN represented a neutral diplomatic position, which would be decisive in the success of the first mission. Furthermore, it reassured the FARC-EP members of guarantees of compliance by the Colombian government, with UN oversight, which would generate confidence among the guerrillas. As argued by the Chief of Staff of the UN Mission in Colombia, Raúl Rosende (2020) in an interview for this research, trust represents 90% of the success in a process of implementing peace agreements. The mechanism would help to build trust between the negotiating parties, and consequently would clearly define the role that the UN would play.

At this point, the negotiating parties were aware of the importance of the UN role in generating confidence in the process. As a result, negotiations between the Colombian government and the FARC-EP to request a UN resolution were initiated and were completed within a year and a half. President Santos, as outlined earlier, had sent the Minister of Foreign Affairs as a plenipotentiary to represent the government. In August 2015, the Minister of Foreign Affairs travelled to Havana<sup>119</sup> and led negotiations with the FARC-EP on the UN resolution. From the FARC-EP side Julián Gallo headed that negotiation (Gallo, 2020). The Minister Holguín (2019), stated in an interview for this research that the FARC-EP consulted the Cubans about the negotiation by the UN resolution because they had become experts in the UN system. As a result of their experiences with the UN, the negotiating parties would go on to play a major role in elaborating on the documents that would go to the UN for negotiating their international support in the first level internationally.

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<sup>118</sup> Putnam (1988) and Milner (1997) argue that the negotiation in the second level (national level) is the most relevant, at this level costs are distributed, relative gains limit or restrict international cooperation. Although these authors consider the negotiation from the executive and legislative in the first level, for the Havana peace process this research considers the negotiation between the Colombian government and the FARC-EP producing national documents that would go to an international level.

<sup>119</sup> The President requested the Minister of Foreign Affairs to get closer to the guerrillas, not only at the table but outside in order to understand what they had in mind. The international advisors pushed that a lot, specially William Ury who insisted on talks away from the table as a necessity. The Minister Holguín (2019) in an interview for this research, claimed that it generated a closer relationship, the guerrillas were calm and more confident.

As stated by the Minister Holguín (2019) and the government's negotiator Naranjo (2019), in an interview for this research, the negotiations for the UN resolution with the FARC-EP were complex in specific areas. For example, the FARC-EP wanted to include the resolution for the monitoring of Human Rights, they wanted to negotiate the mandate of the High Commissioner for Human Rights in Colombia. According to the FARC-EP member Gallo (2020), in an interview for this research, they wanted the UN mission to cover all the substantial agreements, not just the military and weapons issues. The Colombian government used the UN envoy to explain the UN mandate. The idea was to consider the limitations of the resolution, not including the Human Rights issues, what the UN would verify, the duration of the verification, and what they were going to monitor. This was particularly useful to generate an agreement between the parties about the first UN mission.

The UN envoy's presence helped the understanding of both parties but specially contributed to the FARC-EPs knowledge about the UN international mediation practices. For the FARC-EP negotiator, Gallo (2020) in an interview for this research, in the end, the FARC-EP understood the importance of a UN mandate from the Security Council thanks to Arnault's explanations. Additionally, during the negotiation that involved the tripartite mechanism the UN special envoy participated with the Colombian government and the FARC-EP to explore alternative peace operations in the regions that were directly affected by the conflict. The Minister Holguín (2019) in an interview for this research argued that Arnault set up how the operation was going to be, its size, and how far they could go; this was not a complex issue. The UN envoy continuously engaged with both parties to help implement international oversight and the verification of best practices, as well as giving recommendations and mediation. For the FARC-EP negotiators the UN mediation practices were supportive, the FARC-EP negotiator, Gallo (2020) in an interview for this research emphasised in his words that:

We understood that the mandate of the General Assembly has the advantage that it has great political support, but the disadvantage of hardly obtaining a decision unanimously. Additionally, the economic muscle of the mission would not be the same if determined by the Security Council and not by the General Assembly. (Gallo, 2020)

During the negotiations a wide-ranging debate was presented about which countries should or should not send unarmed observers to develop the tripartite mechanism.<sup>120</sup> The FARC-EP did not want some countries to be there, for example the US and some European countries, they preferred neighbouring countries. The government did not accept Venezuela and Ecuador. It was a difficult negotiation, to leave aside the countries that helped during the peace process. For the Colombian government, including these countries by sending military or ex-military members to verify the MM&V, would affect the credibility of the Colombian military forces. Thus, Arnault and the UN Committee at the table put forward impartial proposals that were accepted by the negotiating parties. According to the OACP (2016a), CELAC was the body that provided observers for the verification mission, including both negotiating parties' requests.

In the end, the Colombian government achieved a first UN resolution (2261/2016) to verify the FARC-EP's commitments. The Minister Holguín (2019), stated in an interview for this research it was a good negotiation for the government because it would verify the FARC-EP ceasefire and their abandonment of weapons.<sup>121</sup> Later, there was a second resolution (2366/2017) for verifying the government commitments on reintegration of ex combatants, the FARC-EP leaders security, and the safety for all ex-combats in the ZITNV.<sup>122</sup>

After all the negotiations between the parties, having the UN support through the UN special envoy, meant they could reach an agreement on a crucial issue for the peace process negotiations in considering the UN mission. The agreement on the bilateral and final ceasefire and hostilities as well as the laying down of arms was announced on June 23, 2016 (OACP, 2016f). This agreement described the entire process to the lay down of arms, a troop grouping for demobilisation and the execution of the ceasefire.

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<sup>120</sup> In the UN resolution it states clearly that CELAC will be the organisation in charge of sending the non-armed observers to the verification. The Minister Holguín (2019), in an interview for this research, argued that Russia and especially China were against excluding some countries, although the Colombian government wanted to. Ecuadorians were concerned with guerrilla dissidents, who could push them to the Ecuadorian border. They were arguing that it was important to know more of the issue of dissidents and that they wanted an Ecuadorian in a southern area, for example in Nariño, to monitor the dissidents' movements. The Minister of Foreign Affairs manifested that as candidates from all countries would arrive, she could commit to Ecuador being a part of CELAC. She also told the UN Under-Secretary General for Political Affairs, Jeffrey Feltman to permit an Ecuadorian observer, but in the end, she was not sure that it actually happened. Venezuelans also wanted to participate more, to that effect their ambassador to New York complained. In the end, the UN helped the governmental desire, and ensured there were no Venezuelans or Ecuadorians permitted to join CELAC.

<sup>121</sup> The FARC-EP delivered to the UN a list of weapons that they had per command, as well as the hidden weapons with location coordinates. The UN worked cautiously verifying everything without the government, or the Colombian military forces. In the end, the UN claimed that it was the peace process that delivered the most weapons per man, there were 6,000 men and 7,000 weapons.

<sup>122</sup> The UN security of the ZITNV was complex considering that they could not have their own armed military presence. The UN worked with the Colombian military forces and the national police on security controls.

Additionally, that document included security guarantees and support mechanisms for ending the conflict. The signing of this item was a milestone for the peace process and a step closer to the signing of the final agreement with a UN mission involved. A ceremony was held in Havana for the signing of this point, with the participation of international personalities including: the UN Secretary-General, the President of the UN General Assembly, and the President of the UN Security Council.

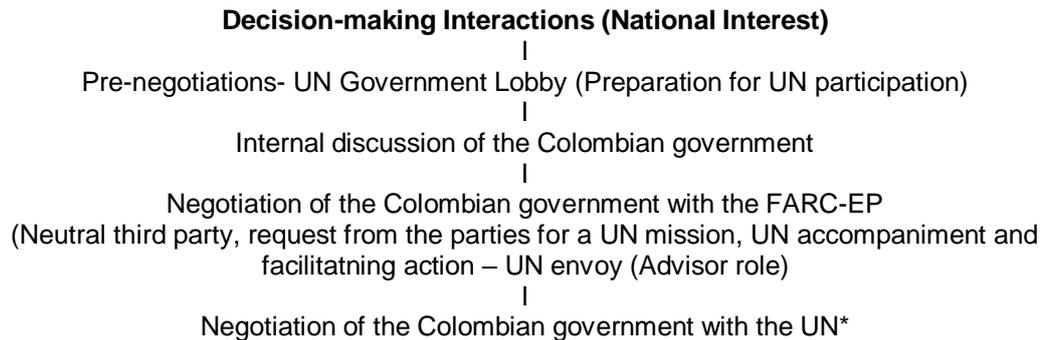
Summarizing, the UN represented for the negotiating parties the most internationally recognised organisation, it generated confidence and legitimised an active UN role with a political mission in Colombia. To follow the decision that the UN would be the third neutral party accompanying the negotiating parties in the end of the conflict, the next section presents the negotiation between the Colombian government and the UN for delivering a UN resolution that would attend the domestic criteria to maximise national interests.

### **6.3.3 Negotiation between the Colombian Government and the UN**

As mentioned above, since 2011, the Colombian government initiated approaches to the UN and the UN Security Council. The decision had been made to create opportunities to involve the UN office in Colombia in the peace negotiations. Once the Colombian government had discussed this decision internally and when they agreed their approach using the government's decision-making process, they presented this idea to the FARC-EP delegates. After an agreement to proceed in this manner had been secured with the FARC-EP, the request was formally sent to the UN to ask for their support. This request more specifically sought a negotiation between the Colombian government and the UN for delivering a UN resolution that would support the end of the conflict, based entirely on the negotiating parties' requirements.

The following figure shows the decision-making process' interactions in order to negotiate the UN mission between the Colombian government and the UN. This process is detailed further in the following pages.

**Figure 12.** Political Decision-Making Process Interaction



- \*1. Considering the Negotiation between the Colombian government and the FARC-EP
  - 2. Put all UN action alternatives for implementation on the table (limit the scope of the UN)
  - Sovereignty autonomy of the Colombian government, President, OACP, Ministry of Foreign Affairs
  - To persuade- Decision Units-UN Security Council-UN Bureaucracy -OHCHR- General Assembly-
- Source: Own elaboration.

To create a resolution that would be based on the requirements of the domestic negotiating parties, it was important to centralise the decision-making activities at the domestic level as Putnam (1988) highlights. These interactions considered systemic variables that involved pre negotiations from certain members of the Colombian government working within the UN as seen in this research. They were also were based on concept of maximising the national interest when considering the search for international support represented by the UN mission.

For these negotiations, the Colombian government developed a strategy to limit the scope of the UN mission, emphasising the sovereignty and autonomy of the Colombian state. The strategy soon convinced the key decision-makers in the Security Council to support a UN resolution focused on the domestic requirements of the peace negotiations. For instance, the Minister Holguín (2019) in an interview for this research, claimed that in November 2015 she travelled with President Santos to the Philippines for an Asia-Pacific Economic Cooperation (APEC) meeting. There, the President held conversations with the leaders of the US, the UK, China and Russia asking for their support to pass a UN resolution focused solely on the requirements of the peace process as Colombia had negotiated it with the FARC-EP, without including the suggestions of international actors.<sup>123</sup>

Additionally, there were great diplomatic efforts from the Colombian delegation to the UN towards the Security Council, the General Assembly and the UN bureaucracy.

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<sup>123</sup> As Putnam apud Schelling (1988), the Schelling Conjecture was relevant at this point in the first level negotiations, arguing that a domestic arena may not accept changes to negotiate in an international level.

This was headed by the Colombian Foreign Ministry in close coordination with the High Peace Commissioner and the government negotiators.<sup>124</sup> The High Commissioner for Peace Jaramillo and the Minister Holguín worked hand in hand with the UN Under-Secretary General for Political Affairs, the UN High Commissioner for Human Rights and other UN officials, to put on the table all the options for UN participation in an eventual scenario of implementation and the laying down of arms.<sup>125</sup> Although the UN establishes these negotiations only with governments, the FARC-EP's ideas were also considered essential because both negotiating parties needed guarantees and rules to be monitored in the UN mission.

Taking into account the Colombian government's approaches to the UN, both UN Permanent Representatives for Colombia, Néstor Osorio (2010-2014) and María Emma Mejía (2014-2018), were conducting important political meetings at the UN to connect the reality of peace negotiations to the context of international support. To effect this process, Néstor Osorio had the duty of keeping the members of the Security Council informed about the negotiations in Colombia.<sup>126</sup> Osorio (2019) in an interview for this research claimed that he was working in both New York and Washington, and had a number of meetings and visits to the US State Department. He highlighted that there were also two sessions of the Security Council held in the White House, but that during which there was no discussion of the Havana peace process. President Obama was however aware of the situation in Colombia and expressed his support.

The connection of the Havana peace process with the UN Security Council facilitated the negotiations for a UN resolution more connected to the desires of domestic actors. As argued by the UN Under-Secretary General for Political Affairs, Feltman (2019), in an interview for this research, the UN role did not require much effort from the organisation. It was left to the domestic parties to decide if they wanted briefing in certain areas, as the UN did not have a role as a negotiator or mediator. It tried to reduce itself to the most

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<sup>124</sup> In this respect, according to Putnam (1988), national actors who interact at both levels during international negotiations (at the first level) seek to balance negotiating positions, trying to maximise domestic preferences.

<sup>125</sup> Colombian peace negotiations opened up government opportunities in multilateral environments. E.g. in 2015 Colombia chaired the third UN Economic and Social Council (ECOSOC) commission, then Colombia entered the UN Peacebuilding Commission in 2019. This situation contributed to the UN multilateral vision that needed to be strengthened, which served to gain the UN confidence considering the Colombian role regionally. It considered the identification of decision units that could benefit from pillars of influence as argued by Pinheiro apud Synder (1994), and Clarke and White (1995) where the government purpose was to bring together strong international support to promote the success of the peace process.

<sup>126</sup> As argued by Osorio (2019), in an interview for this research, the international system had great sympathy and support for what Colombia was doing. President Santos had a personal involvement, he used his contacts with the heads of state/governments and other Presidents, and he improved relations directly with the countries that would be facilitators such as Cuba, Venezuela, Chile, and Norway. Also, the US and the EU countries played a fundamental role and it was important to have them on board.

minimal decision-making role of the international community on the agreements. There was a clear prevalence of the Colombian national interest over international interests, and therefore, the actions of the UN in the Havana peace process were built solely on Colombian domestic priorities.

Ultimately, according to the UN Under-Secretary General for Political Affairs, Feltman (2019) and President Santos (2019d) in interviews for this research, the negotiation between the Colombian government and the UN was not a difficult one, it represented the Colombian desire to secure a peace process and a peace implementation designed and prepared by the original Colombian negotiators. Outside of the key negotiation points, some more technical issues needed to be agreed, in which the UN had protocols ready to assist, however, the Colombian government was always looking to keep its decisions sovereign. President Santos (2019d) stated in an interview for this research,

Perhaps the Foreign Ministry was addressing the UN action, saying do not get involved in this, or we are more interested in that. But it was not a difficult or traumatic negotiation. For example, it did not touch me, all the difficult decisions came to me, but they did not need my intervention, almost nothing did. They told me (the government team) that they had negotiated it, and the protocols of the UN missions were ready, so we continued.

For negotiations regarding the UN mission, the distribution of power leaned towards the side of the Colombian government (negotiating parties in the Havana peace process). The negotiating parties defined the characteristics of the MM&V, and the Colombian government set the type of mission required and its mandate. However, this distribution of power was open to being affected in the future given the UN resolutions' origins and its mandate.

In order to ensure the prioritisation of the Colombian national interest at the UN, the Colombian government's delegation spent time at the UN investigating possible models for a UN mission to Colombia. The delegation studied all preceding UN PKO and SPM resolutions that had created a UN mandate worldwide.<sup>127</sup> The advisor from The Office of the Minister of Foreign Affairs, Diana Lucía Rengifo (2020) highlighted in an interview for this research, that when she was part of the team of the Colombian government delegation

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<sup>127</sup> The advisor from the Office of the Minister of Foreign Affairs, Rengifo (2020) claimed in an interview for this research that when they founded similar things to the Colombian case in these resolutions, they looked at other more specific resolutions of the same cases, but the Colombian delegation started always with the first resolution of each case.

at the UN, they conducted a theoretical analysis and investigated all these resolutions.<sup>128</sup> They also held consultations with UN officials to hear their visions on the subject. At the UN, the government team discussed peace operations and missions with representatives of countries that had experience in that kind of UN cooperation. The Colombian government believed that the PKO gave less independence to the UN mandate and that its limits were narrow, whereas the SPM was more closely related to political missions for observation and verification. The scope of both mandates was analysed, weighing their advantages and disadvantages. At this time, PKO resolutions were typically given to countries that could not answer for their security, or where their security was not adequate. This type of resolution was not representative of the Colombian case as Colombia had an internationally recognised democracy with strong institutions and established military forces.

Consequently, a SPM mandate was attractive to the government as there were some of these resolutions that were similar to the Colombian case. For Artiñano (2020), who worked as advisor to Arnault, in an interview for this research, the UN mission in the end became a unique and unprecedented hybrid between a PKO and an SPM. An example of this hybrid is that in the mandate it was agreed to not have armed observers and that there would be a sharing of responsibilities between the government, the FARC-EP and the UN.

To achieve this result, the Colombian government consistently guided the role of the UN during the peace process, limiting its participation to specific accompaniments and actions for facilitation. Initially, when the UN envoy had been sent, he held an advisory capacity for suggesting a small number of proposals working towards the final agreement. Later, the Colombian government expressed its willingness to have the UN as a third neutral party for ending the conflict. In that case, Colombia went to the UN Security Council directly and asked for its support under its own conditions.

The government's negotiation with the UN for the resolution was time-consuming, even considering that the main points came from the Havana negotiation table. There were further important legal and financial points that needed to be included in the final resolution. These issues according to the UN Permanent Representative for Colombia, Mejía (2019) in an interview for this research, meant that the government delegation to the UN spent most of its time negotiating with the legal department of the UN and the Fifth Committee. In her words:

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<sup>128</sup> At the end, the data was collected, and a recommendation paper was sent to Colombia. The Colombian team at the UN organised meetings with the Minister of Foreign Affairs and keep communication with the UN Permanent Representative for Colombia María Emma Mejía.

The UN had their way of negotiating, the one that they have used to negotiate for the last sixty years. It was a colonial vision, and we wanted to say this was a different negotiation with an institutional state, which will be able to respond in a satisfactory way. I believe that all the legal negotiations opened the UN doors for future negotiations, either for PKO or SPM. (Mejía, 2019)

The negotiation in the UN Fifth Committee was difficult because UN economical resources could not be used to support an illegal organisation like the FARC-EP. For the UN Permanent Representative for Colombia, Mejía (2019), in an interview for this research, being under a tripartite mechanism caused another problem: it technically supported the FARC-EP as a guerrilla movement. There were difficulties obtaining these resources as they could not come via the UN; it was a matter of finding what model could support those processes and design mechanisms, that would help to overcome these legal and financial obstacles, because there was the political will to do so.

The Security Council is the body that orders and builds the mandates of the peace operations to be implemented by the Secretary-General. To support this, the Colombian delegation at the UN devoted itself to carrying out extra diplomatic work with each of the members of the Security Council, to help reach a consensus about the proposal of the resolution from the Colombian government that had been discussed with the FARC-EP. The Colombian delegation at the UN lobbied the Security Council to convince it to renew the traditional UN *modus operandi* of structuring its mandate in accordance with their specific requirements. It was a challenge to modify what the UN Under-Secretary General for Political Affairs, Feltman (2019) mentioned in an interview for this research, that the UN Security Council mandates on peace processes are normally focused on peace operations under the strict control of the Security Council whilst allowing a wide scope, including technical assistance and capacity building.

Considering that the Security Council has fifteen members, and the Colombian delegation needed to convince all of them not to add new issues to the UN resolution, it was a significant package of work. It was highlighted that if there were any unexpected changes in the text of the resolution, it would affect the likelihood of success in the peace negotiations. In order to drive this message, the Minister of Foreign Affairs visited New York and held meetings with the complete Security Council and individually with some members to insist that no changes be made to the resolution. The Minister Holguín (2019), in an

interview for this research, argued that these parties were always open to hearing Colombia's requests. The advisor for the Office of the Minister of Foreign Affairs, Rengifo (2020) also argued in an interview for this research that she similarly explained to the Security Council members that there were certain points that could not be negotiated, in her own words:

We were with our penholder (the UK) monitoring each change that was proposed. As far as we knew, because the Security Council negotiations are secret, we were always looking at what could be done, emphasising that it was essential to respect what the parties had negotiated. The idea was not to create contradictions between the UN ideas and the two negotiating parties. (Rengifo, 2020)

By analysing this situation within the Two-Level Game Model of Putnam (1988), it can be inferred that the Colombian Executive branch conducted top-level negotiations with the UN decision-making team for political peace operations. Moreover, it can be argued that the Colombian government's negotiation strategy had an effective win-set, as it gained the consensus of the Security Council for the approval of a mission tailored to what was agreed between the parties at the negotiating table. According to the UN Under-Secretary General for Political Affairs, Feltman (2019), in an interview for this research, in the end, the best possibilities on the ground were contemplated, as well as those best suited to the conditions of the negotiations, and those that would raise the least objection from members of the government, the military, the FARC-EP and Colombian citizens.

The Colombian government strategy included convincing the penholder that Human Rights would not be included as part of the resolution.<sup>129</sup> The Minister Holguín (2019) in an interview for this research, stated that President Santos talked to David Cameron about the need for the UK support, and they were always open to assist. Later, Néstor Osorio as Ambassador of Colombia to the UK worked with the UK Foreign Office in the adaptation of the resolution,<sup>130</sup> he specified, in an interview for this research:

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<sup>129</sup> As argued by the UN Permanent Representative for Colombia, Mejía (2019), in an interview for this research, the resolution had to include topics such as financing and technical procedures. So, Colombia was not wrong in choosing the UK as a penholder, instead of a non-permanent member who has more weaknesses or is without the same mandate. It was a wise decision, difficult at the time because there was a lot of criticism, which criticised why a non-permanent member, who was from the Latin American region was chosen.

<sup>130</sup> As argued by Putnam (1988), there is an interaction of systematic variables in which the Colombian government organised interactions with the UK as penholders, to help to convince the members of the Security Council to build a resolution without major changes to those proposed by the negotiating parties in Havana. This is an input that would achieve an original resolution resulting from the peace negotiations (second level negotiation), as an output in the first level negotiating.

I participated with UK officials from here [London] in giving instructions to New York to configure the UN resolution. It was a process in which we received instructions from the President that were rigorously applied. I had two sessions a month or one minimum in the English Parliament. I was trying to explain where the process was going. [...] in summary, to point out how the international community participation and their involvement played a fundamental role in the agreements. The President's conception was clear about an internal peace agreement for internal consumption which without international witnesses and support, would not be feasible. It was important to surround the agreement with all this international support. (Osorio, 2019)

That work with the penholder involved the international British advisor for the Colombian government Dr. Dudley Ankerson, who acted as an intermediary between the UK and Colombia in supporting the Colombian delegation at the UN to negotiate with the UN Security Council. Despite the fact that Colombia had been a successful member of the Security Council, Colombia alone did not have enough experience and there was a need to persuade the permanent members for the final UN resolution. In Ankerson's words, in an interview for this research:

The British government helped to prepare the UN resolution, to gain support in the organisation. I had a conversation with the British Ambassador to New York about it, explaining what we needed, (from the Colombian government), for it to work well. To support this, the Colombian and British delegations in New York were collaborating a lot for preparing the text. Both in consultation with other delegations, Americans, French and to a certain extent with the Chinese and Russians. The important thing with the latter delegation is that it was essential that they would not oppose the resolution and would accept its terms. Well, there are always problems with these two countries, but there were none here. All the resolutions were unanimous. (Ankerson, 2019)

As part of the process of planning and structuring the political mission, the UN prepared the mission statutes or protocols (UN Security Council, 2016i). It was essential to clarify the support that the UN could offer to the peace process as validators. The ceasefire protocol was concluded and signed between the negotiating parties with the participation of the UN on 13 October 2016, there was a presidential decree to facilitate its implementation on

20 October 2016 (UN Security Council, 2016h). As indicated by the document below from the Department of Peacekeeping Operations (DPO) to prepare the mission protocols is an important task to be done for any peace process in the world with the UNs' involvement.

Complex missions often struggle to clarify the tasks for which peacekeepers are responsible and those which other UN partners are meant to perform as part of an integrated approach. [...] Successful international coordination requires clarity among partners on respective responsibilities and on the role of the peacekeeping mission in supporting broader political and peacebuilding strategies. (UN Peace Keeping Operations and Field Support, 2009, p. 10)

According to the UN Permanent Representative for Colombia, Mejía (2019), in an interview for this research, Colombia achieved its goals not through imposition, but through conviction. Every part of the resolution considered the preference of the Colombian government, from financial, legal points of view, parameters of the debate on the power that the SPM would assume, through to the negotiation that had already occurred. These protocols defined the role of the three actors in the MM&V.<sup>131</sup> For the Colombian case, it specified the UN's mission, its scope, activities, and responsibilities. In the negotiations the UN and the Colombian government signed the statutes or protocols on 15 September 2016 (UN Security Council, 2016m) after the mission had begun operating. According to the Government's Chief Negotiator, De la Calle (2019b), in an interview for this research, the UN and the Colombian government negotiated every aspect, including: the mandate term, the UN role including its presence in the ZVTN, the UN non-armed observers, the way in which the mission was formed, and the participation of Latin American countries in the mission. These negotiating details considered the FARC-EP's point of view. While the government and the FARC-EP were still negotiating the ZVTN, the Security Council was prematurely attempting to understand the boundaries of the monitoring areas.<sup>132</sup>

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<sup>131</sup> Considering Milner and Tingley's (2015) concept of "intermestic", there is a "portmanteau" of international and domestic relations, whereby there is a balance between the decisions related to international politics and the satisfaction of stakeholders in the domestic field.

<sup>132</sup> It was a hard discussion considering the ZVTN. The FARC-EP always had the concern about reducing the number. The concern considered how they were going to mobilise, crossing entire regions safely. Another issue was the ZVTN locations. For example, the Minister Holguín (2019) in an interview for this research recognised that there was a discussion about a zone that FARC-EP wanted in the Cabrera municipality. (Cundinamarca, close to Bogotá that for the military was an emblematic area.) Flying together in a helicopter, the UN accompaniment and military members explained to FARC-EP that it was not safe for various reasons. In the end, they have chosen Icononzo (Tolima), Arnault helped in these types of logistical topics.

After the number of ZVTN was decided by the negotiating parties (June 2016),<sup>133</sup> the arrangements for the laying down of weapons and the immediate ceasefire for the following 180 days were made. Finally, the UN organised a team in the twenty-six zones and coordinated the operation to handover the weapons of the FARC-EP.<sup>134</sup> The UN assisted the FARC-EP in complying and leaving their weapons, which was a careful and logistically detailed process.

There is an impressive video taken by a UN drone which captures the guerrillas' mobilisation from their location to the ZVTN. It shows how they moved by boats, on buses, in cars, and on foot. The UN made the recordings, to verify the guerrillas' security. This video along with a monument built in honour of the victims of the armed conflict are on display in Bogotá, in a gallery called "Fragmentos" which is dedicated to the peace process. There is another monument in New York in the UN Central Office, both monuments were constructed with the metal from an estimated 8,000 FARC-EP decommissioned weapons.

There were budget problems because it was not clearly known where the money was going to come from for the MM&V. The decision about the number of ZTNV depended on how much it would cost the Security Council and the Colombian government, which traditionally are the two parties responsible for contributing to an SPM. In the end, negotiations were held at the first level about which expenses should be covered by the Colombian government and which by the UN.

Whether the UN mission should provide troops to maintain peace, or whether it should be a mission observed by civilians was also debated. The Colombian government made it clear that a military mission in Colombia would not be acceptable, but the UN wanted to manage everything. The Minister Holguín (2019), in an interview for this research, mentioned that the negotiations became difficult at this point. The UN Under-Secretary General for Political Affairs, Feltman (2019) stated, in an interview for this research that the discussion on the handover of weapons mechanisms was also considered, and who would be the civilian members participating in the verification. Both decisions considered the importance of the negotiation in the second level (interactions in the domestic arena),

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<sup>133</sup> In joint communiqué No. 01 it was reported that the High Commissioner for Peace, Sergio Jaramillo, the Commander of the Transitional Strategic Command (COET, Spanish acronym) General Javier Flórez, members of the FARC-EP Secretariat, accompanied with the UN Mission Representative Jean Arnault and his team had a meeting in the region known as Llanos del Yarí to agree on the number of ZVTN.

<sup>134</sup> During the peace process, it was negotiated that no photos of guerrilla members surrendering arms would be permitted. That was fundamental for the FARC-EP. As mentioned by Ury (2020), in an interview for this research, considering that issue, President Santos was advised from his international advisors specifically about dealing with the FARC-EP with respect and dignity and to see what's meaningful to their fight.

therefore, it can be said that the domestic actors influenced the negotiation in the first level. For the peace negotiations it was important that the UN could not change the conditions negotiated between the government and the FARC-EP, or it risked jeopardizing the signing of the final agreement.

The adequate planning of resources for the mission, according to the UN peacekeeping strategy is essential to initiate and see through a mission (UN Peace Keeping Operations and Field Support, 2009, p. iv). Furthermore, a designation of financing at the UN Fifth Committee was vital, for which it was necessary to convince the UN of the need to finance a middle-income country like Colombia.

The legal negotiation was also time-consuming because the UN has a special definition for both PKO and SPM, and as it was a hybrid, it was necessary to redefine them according to the Colombian case. At that time, the SPMs were not in common use, only use for missions or responsibilities that did not fit within the concept of a PKO. According to the advisor to the Office of the Minister of Foreign Affairs, Rengifo (2020), in an interview for this research, SPMs became more widely recognised for their usefulness, the UN Fourth Commission started to prepare a resolution to supervise them.

Negotiations between the Colombian government and the UN to secure their support had good outcomes. The UN showed positivity towards the peace negotiations, and they were aware of the importance of pre-emptive action in order to be prepared before the final agreement was signed. In the UN Permanent Representative for Colombia, Mejía's (2019) words, in an interview for this research, this was innovative because never before in its seventy-two years (at that time), had the UN been presented a blank check signed it in advance. This display of trust from the UN to the Colombian negotiators showed their confidence in the negotiations that had taken place in the second level that had created a solid foundation for negotiations at the first level. The UN had faith in the success of the peace negotiations and supported them knowing that its participation would be relevant not just for the country but also for re-establishing itself as an important international organisation working for peace worldwide.

As confirmation that negotiations in the second level shaped the direction of first level negotiations, ultimately there were no significant changes to the central issues of the resolution made by the Security Council. They also did not intervene in the resolution,<sup>135</sup> for

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<sup>135</sup> In an interview for this research with the Minister of Foreign Affairs, Holguín (2019) mentioned that she spoke with Feltman many times. She insisted that if the issue of human rights was included, the Colombian commitment to the UN would realistically be broken. Despite all the work done on this issue it is still to this day a complex topic.

example by adding the human rights issues, which meant that it was a resolution tailor-made by Colombians for Colombia, an unprecedented outcome. According to the UN Under-Secretary General for Political Affairs, Feltman (2019) in an interview for this research, the UN was cautious in pressuring the government for changes to avoid rejection from the Colombian government and its citizens. It meant the Security Council believed that the Final Peace Agreement would be approved, and therefore they delivered the Colombian resolution in advance. Finally, the Colombian government brought the final agreement to the Security Council. President Santos registered the agreement with the UN Security Council in a political act that sought to strengthen and give greater political and legal weight to the document. The following section introduces the UN implementation of the agreement up to the point where the Havana peace process was concluded.

#### **6.4. UN Involvement in the Implementation of the Agreement**

The Havana peace process involved national and international actors for the duration of negotiations. International support was the engine that kept the negotiations running. The UN as an international system gave security and confidence nationally and internationally to what was being negotiated. The UN expressed its readiness to support Colombia in its peace efforts, and when the negotiating parties requested the involvement of the UN, it was an autonomous decision (Jaramillo, 2019; Cámara de Representantes, 2016). The Colombian government sought the support of the UN having considered their strategies and actions for the development and maintenance of peace, seeking a peace process based on a set of criteria mutually agreed by the parties in conflict.

Although the participation of the UN was requested by the domestic parties, there were worries in Colombia about the potential for the expansion of its role during the negotiations. These concerns were focused on how its involvement could be beneficial to the government or the FARC-EP in different areas. For example, whether the participation of the international organisation would affect the sovereign decision-making power of the national government or would end up affecting the autonomy of the country. However, since the beginning of the peace negotiations the authority of the Colombian government and all national decisions, had been highly respected by the UN office in Colombia. The participation, support and activities of the UN depended exclusively on the decisions of the Colombian government and what had been agreed by the negotiating parties (Cámara de

Representantes, 2016; Preti, 2019; Jaramillo, 2019).<sup>136</sup> Therefore, the role of the UN was contingent on the requirements of the Colombian authority and the state had the power to change the terms of their activities at any time.

The importance of an event such as the Havana peace process in ending more than fifty years of an armed conflict in Colombia that crossed international borders demonstrated the need to involve international actors. The UN's support showed the utility of partnership within the international system not only for the negotiations but also during the implementation stage to help solve a domestic problem that crossed borders. Without the involvement of the UN Security Council, it would have been difficult to continue the implementation of the agreement. As agreed by the government's negotiator, General Naranjo (2019), in an interview for this research, the international component is essential to ensure sustainability for the peace agreements due to the internal polarisation within Colombian politics. To further strengthen commitment on the side of the Colombian government, mandatory conditions were included, non-compliance with which would result in sanctions against them. This was an important detail for the FARC-EP that ensured that the commitments would be upheld by a third-party.

At the beginning of 2016, the parties decided to start the implementation of the MM&V with international accompaniment (OACP, 2016a). As mentioned above, the UN Security Council established a political mission with non-armed observers supported on 25 January 2016 through the resolution 2261<sup>137</sup> (UN Security Council, 2016a). It was the result of international negotiations between the Colombian government and the UN at the international level which proved advantageous for the government. This resolution ordered the UN Secretary-General to establish a political mission for an initial period of twelve months starting from the signing of the agreement.<sup>138</sup> The UN mission highlighted to the domestic negotiating parties the importance of the international component in coordinating the tripartite mechanism.

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<sup>136</sup> As Putnam (1988) argues, the domestic level stands out from the international level. At the second level, international cooperation is not affected by the complex structure of the international system, but rather looking for who accepts what. The costs generated at the national level would affect decisions on whether there is the possibility for the participation of an international actor.

<sup>137</sup> This mission could be extended for an additional period of twelve months, led by a representative of the Secretary-General to monitor and verify the bilateral and final ceasefire.

<sup>138</sup> In peacekeeping missions, the UN Secretary-General implements resolutions issued by the Security Council. These missions should provide impartial assessments to the Security Council, proposing options or recommendations on the situation and estimating the necessary resources required. Once the Security Council approves a mission, the Secretary's role is to transform it into operational tasks and objectives. Such activities are planned with the support of local UN offices. (UN Peace Keeping Operations and Field Support, 2009, p. 13)

After the negotiating parties reached bilateral agreements on a definitive ceasefire and end of hostilities, on 23 June 2016, the parameters of the tripartite mission and the UN's participation were established. The second level negotiation included a distribution of advantages and disadvantages for the MM&V, regarding that the domestic arena influenced the mechanisms dramatically. The UN mission would be responsible for collecting, storing weapons from the FARC-EP and removing them for the construction of monuments. The UN only made recommendations for the negotiating parties (UN General Assembly, 2012), but they had a leadership role that applied to field operations (High-Level Independent Panel on UN, 2015, p. 15). The Colombian government through the Permanent Representative for Colombia to the UN María Emma Mejía prepared the diplomatic work for the participation of members from the Security Council to verify the MM&V in the field. Mejía (2019) stated in an interview for this research:

It was an emotional moment because the Security Council verified [the MM&V] on site, in the field. The guerrillas in Mesetas began to descend in a universal flood. They went down with their little chairs, from some primitive camps, and they still looked like guerrillas. I felt that the country understood the weight of the participation of the UN and the Security Council in the peace process. (Mejía, 2019)

The participation of the UN during the negotiations in an indirect but facilitating way made it possible to approach the negotiating parties which demonstrated the UN's experience in carrying out peace processes. The UN Security Council reported on 26 October 2016 that the UN mission in Colombia was authorised according to the resolutions 2261 (UN Security Council, 2016a) and the 2307<sup>139</sup> (UN Security Council, 2016i) for verification of the ceasefire protocol declared on 13 October 2016.<sup>140</sup> Although there were some initial difficulties, the mission was a success and allowed to continue, with the commencement of the second mission. During the first months of the operation, the mission faced a number of operational and logistical problems, as reported by the UN Secretary-General in

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<sup>139</sup> In the final agreement an article stated that another mission would be created to monitor the implementation stage. This would be a second mission that would last for three extendable years for verifying the implementation of the peace process.

<sup>140</sup> The operationalisation of this mission was delayed due to the result of the plebiscite on 2 October 2016. On 31 October 2016 the Security Council authorised resuming mission activities (UN Security Council, 2016k).

his report<sup>141</sup> (UN Security Council, 2016m). The problems were mainly delays in the implementation of activities due to communication problems between the parties, ignorance about the number of staging areas, difficulty in accessing the ZVTN and logistical failures. Despite these problems, significant progress was made in implementing the ceasefire and the lay down of arms.

These successful processes demonstrated the importance of having the UN's collaboration to generate positive outcomes for the negotiating parties and the country in general. According to President Santos (2019d), in an interview for this research, the UN participation helped give legitimacy to the peace process itself, and the international organisation worked carefully to avoid favouring either the FARC-EP or the Colombian government, to maintain credibility in the eyes of both parties. In his view, President Santos considered the UN role important to give the FARC-EP confidence about maintaining negotiations where there was good faith and commitment from the Colombian government. For the FARC-EP, the UN represented a new hope, that they were not going to be abandoned. In addition, the UN explained international procedures to the parties, and it was the validator and promotor of circumstances and processes that improve the chances of achieving peace in Colombia.

Additionally, the UN mission dependence on the Security Council added the benefit of substantial oversight for the peace agreement. It meant that the state of the agreement would be scrutinised once every three months through the submission of verification reports by UN missions. According to the Chief of Staff of the UN Mission in Colombia and Rosende (2020), in an interview for this research, this system of verification was applied for both UN missions in Colombia. Once every three months, the UN Security Council would meet to discuss the peace process in Colombia. This functioned as a guarantee for the continuation of the process.

In preparation for the UN first mission, the UN mission carried out technical visits to the ZVTN to understand the conditions of these areas. These journeys were accompanied by delegations from the Colombian government and the FARC-EP, as well as delegates from the guarantor countries and the ICRC representatives. General Javier Pérez Aquino,

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<sup>141</sup> There was notable UN involvement with 450 international observers, forty at the national level, ninety at the regional level and 320 at the local level. There was also the presence of the STFC with a delegate responsible for verifying the ceasefire and the concentration of the FARC-EP. 7,132 weapons were delivered, and some were put into service to provide security to the twenty-six camps, where 7,000 guerrillas were concentrated. Weapons were held by the UN, following international protocols where a member of the FARC-EP received a certificate, and signed an act of commitment to the OACP. After delivering the weapons, the OACP should prove that person as a member of the FARC-EP re-joining civilian life, beginning his/her process of reinstatement.

representing the UN, headed the Mission of International Observers in Colombia (OACP, 2016j; 2016l; UN Security Council, 2016f; 2016h).

As mentioned above, the UN prepared regular reports reviewing the progress of the missions. The first report was presented on 18 August 2016,<sup>142</sup> and was prepared by the UN Secretary-General to the Security Council presenting the progress of the verification mission (UN Security Council, 2016h). In addition, joint activities were carried out with the Ombudsman's Office, the Presidential Ministry for Human Rights, human rights organisations in Colombia and the OHCHR. As part of the monitoring of the ceasefire, the mission also saw a reduction in violence after the FARC-EP declaration of the cessation of hostilities, followed by the announcement of a ceasefire from the Colombian government (UN Security Council, 2016j).

The UN first mission had special characteristics that were included during the peace negotiations, which was highlighted in this research for its importance. CELAC was supremely collaborative by providing a huge number of members for the observation mission, exceeding the number that was required. The UN Under-Secretary General for Political Affairs, Feltman (2019) in an interview for this research described that the convocation and planning of the observer mission was done under the supervision of the DPO. This department oversaw the operational part of the mission, despite this being a political mission with civilian observers.

Finally, the UN and the negotiating parties' work to seek an end to the conflict was an important task agreed within the peace negotiations. It required community preparation to assist them in understanding the UN mission by conducting outreach activities focused on national, departmental and local authorities. As part of these activities, communities and civil society organisations were educated about the mission's mandate and were also encouraged to prepare suggestions and recommendations. These actions were necessary because the communities were victims of war and their participation drove the success of the peace process (UN General Assembly, 2012, p. 6), as highlighted by the UN Independent Panel (High-Level Independent Panel on UN, 2015, p. 10). Additionally, the UN mission made special efforts to encourage women's groups to provide their views and information on possible cases of gender violence based on the UN policy of zero tolerance for sexual and gender crimes (UN General Assembly, 2012, p. 7). Considering the breadth of these

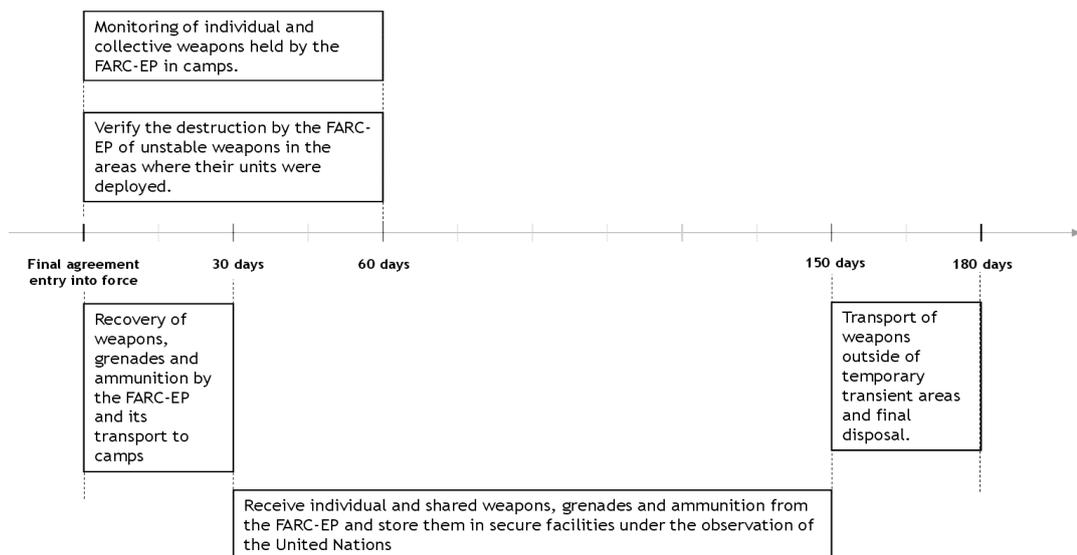
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<sup>142</sup> Initially, he highlighted the educational work to society on the agreements reached, especially the delivery of arms, which ended the conflict and implementation phase. These activities were carried out to mitigate misgivings to the process for lack of knowledge, especially in the communities near the ZVTN.

measures, the UN can be seen as key from the beginning, in integrating the people with the peace negotiations through wide-ranging initiatives that improved the negotiating environment.

Furthermore, as mentioned previously, the UN was responsible for receiving the weapons from the FARC-EP, which, according to the High Commissioner for Peace, Jaramillo (2019), in an interview for this research, was implemented as flawlessly and quickly as it had been prepared. The FARC-EP delivered the last weapon on 15 August 2017, after which the first resolution was extended for a year. In parallel, the demobilisation process, led by the OACP, was initiated.<sup>143</sup> During the implementation stage, the role of the UN in the peace process was more prominent compared to during negotiations.

**Figure 13.** Mission Tasks for the Verification of the Abandonment of Weapons.



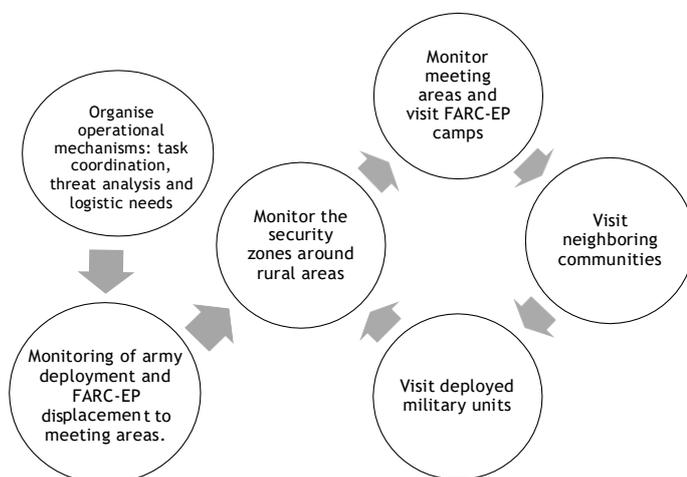
Source: Own elaboration.

All of these actions for the verification of the abandonment of weapons are summarised in Figure 13 and plotted on the timeline of the maximum implementation period of 180 days, when the weapons were to be removed for destruction. In addition, the figure represents the tasks of observation of the ceasefire and the role of the mission as coordinated by the MM&V. The UN began its accompaniment and verification from 27 September 2016, and the MM&V deployed to its local headquarters between 6-10 October (OACP, 2016g).

<sup>143</sup> As argued by the advisor to the Office of the Minister of Foreign Affairs, Rengifo (2020) in an interview for this research, the Colombian process does not have a high level of desertion, the processes in the world the average is like 25% of desertion, they did not even reach 2%.

The observation of the ceasefire and MM&V coordination can be observed in Figure 14, which outlines the roles of delegates and their functions at the local headquarters.

**Figure 14.** Tasks of the Mission for the Observation of the Ceasefire and Coordination of the Tripartite Monitoring and Verification Mechanism.



Source: Own elaboration.

This chapter highlighted the benefits of Colombian involvement with the UN as an independent third-party in the Havana peace process; and how this increased the chances of success. The UN was selected due to its experience dealing with disarmament, demobilisation and reintegration (DDR) and the political weight of its peace-making agreements.

The three sets of negotiations included in the Havana peace process were deconstructed and analysed in this section. Firstly, the internal negotiation involving officials from the Colombian government deciding on the participation of the UN. Colombian sovereignty was considered in arguments against the involvement of the Security Council. However, it was eventually accepted that the UN's support would be essential for a successful peace agreement. Secondly, the negotiations between the Colombian government and the FARC-EP for ending the conflict were analysed. There was distrust from individuals in both negotiating parties regarding UN participation; the Colombian military forces feared that the UN would act in favour of the FARC-EP and likewise, the FARC-EP believed the UN would act in favour of the military. Initially, the UN too was uncertain about the FARC-EP, and whether they would be a reliable negotiating party and act in good faith. However, the UN earned the confidence of both parties during the negotiations, especially through pilot projects that were useful for preparing the implementation stage. Finally, this chapter investigated negotiations between the Colombian government and the UN to request the

support of the UN Security Council and the approval of a UN Special Political Mission. The government prepared the groundwork as early as 2012 by including the UN in work during the peace negotiations through the UNDP agency in Colombia, where they promoted forums and “regional working tables” for the participation of citizens, and contributed ideas for the peace negotiations. The Colombian government developed a negotiating strategy which limited the scope of the UN mission, and emphasised the sovereignty and autonomy of the Colombian state. This strategy soon persuaded the key decision-makers in the Security Council to support a UN resolution comprised of the domestic requirements of the peace negotiations.

This chapter has demonstrated that the confidence and legitimisation brought about by the participation of the UN and use of the innovative MM&V were important factors in realising successful negotiations between the Colombian government and FARC-EP.

## **FINAL CONSIDERATIONS**

### **Related to the Research Findings**

The Havana peace process officially began in October 2012 between the Colombian government and the FARC-EP, concluding with the signing of the Final Peace Agreement between the parties in November 2016. These four years of negotiations represented a great effort to resolve the Colombian armed conflict that had been present over the past fifty years and whose origins include social, economic and political factors. These negotiations had been strongly influenced by international actors, who affected the Colombian government's decision-making processes.

At the beginning of the peace negotiations, from the exploratory meetings and the secret talks, the rules of the Havana peace process were established. At that time, these rules materialised in the general agreement that included the main points to negotiate the end of the conflict. The Colombian government showed its willingness to negotiate policy and institutional changes by delimiting agreed negotiating points. The initial peace negotiation had a closed decision-making process due to the limitations imposed on actors who participated during that secret stage. From that first stage, the parties had weighed the importance of international actors' involvement who could facilitate the peace process. Both parties had considered this decision based on lessons from different Colombian and international peace processes. However, at the same time, both parties firmly believed that the peace process should be a process led by Colombia for Colombians in which international actors should never play the leading role, nor they would have the power to make decisions on what was agreed at the negotiating table, thus the domestic arena had, since the beginning, a more prominent role over the international one.

The Colombian government made important decisions considering governance and domestic factors for improving the negotiating environment during the establishment of peace. At the very beginning, the Santos government implemented a change in the historical governmental approach by accepting the existence of an internal armed conflict in the country and promoted in Congress a legal framework for peace that included the legal framework to support the victims of the conflict. In parallel, when the exploratory meetings with the FARC-EP began, there were other government's decisions taken, based on previous Colombian peace processes. The key decisions included were firstly that there would be a government negotiating delegation representing the full spectrum of political positions in Colombia. Secondly, there would be no bilateral cease-fire during the negotiations (based

on the Rabin Doctrine). Thirdly, no region in Colombia would be a demilitarised zone. In addition, the negotiations would be carried out outside the country, and there would be a more rigid policy regarding communications and the use of public opinion. The support of the Colombian military forces would be required, and finally, the negotiations would be conducted under the Rome Statute.

The Colombian armed conflict was classified as an internal conflict due to its origins, related to problems of national political participation and agrarian issues. Despite this, it has been a conflict that had crossed borders on different scales, giving it international significance. On a regional scale, neighbouring countries due their proximity were all too familiar with this domestic problem, and had experienced the overflow of that conflict across their borders. On a global scale, the conflict has generated mistrust and international fear, as its continued evolution raised new concerns. The development of international drugs trafficking and other issues that generated a risk to international security, such as kidnappings, and extortion. As these issues developed, they would lead to a change in governmental approaches to domestic and foreign policy, as they moved towards the resolution of the conflict, a matter of great national interest.

The internationalisation of the Colombian armed conflict shows the relevance of the internationalisation of the conflict's resolution. In this case, there was an awareness amongst the negotiating parties of the importance of involving international actors to negotiate the peace process. Initially, during the exploratory meetings both parties saw the relevance of Venezuela's participation, and agreed on receiving support from neutral parties such as the Swedish government who helped establish backchannels. Afterwards, during secret negotiations, the spectrum of international parties involved was widened to include the participation of Cuba and the ICRC. At this stage, both negotiating parties agreed to request the support of guarantors and accompanying countries. The FARC-EP proposed Cuba as a guarantor, whilst the Colombian government selected Norway. Venezuela was chosen as the accompanying country by the FARC-EP, and Chile by the Colombian government.

The decision on guarantors and accompanying countries generated an environment based on trust for negotiating as those countries brought different international political perspectives to the negotiating table. This international participation was only possible due the decision-making process led by President Santos who considered the need for a change in foreign policy to generate international confidence and to contribute to the peace negotiations. This change considered, instead of facing regional isolation as experienced

by the previous Colombian government, the need for creating a new form of governance based on cooperation with various international actors, specifically those in the region.

At this point, it is also important to consider the domestic politics and the role the President had in the persuasion of other national actors in the decision-making process. Even knowing that he was the final decision-maker, the President needed the support of other domestic actors with decision-making powers to establish different governmental alliances. Thus, President Santos used all his professional and academic experiences to enhance the decision-making process by reconciling disputes at the domestic level and guiding domestic and foreign policy changes towards the resolution of the conflict.

President Santos had the status of supreme chief and its corresponding formal powers, but simultaneously he knew that he needed to try a wide array of domestic policies to legitimise his decisions by gaining the support of other national actors. Therefore, the President used his political position to arrange cooperation with other members of the Colombian government. It was to convince other national political actors that they were acting in their own best interests during different stages of the peace negotiations.

The negotiating parties had defined the peace process into two stages: the end of the conflict and the implementation of peace. At all times, international participation was considered essential to achieve success in the negotiations and to make the final peace agreement sustainable in the long-term. However, for both negotiating delegations there was mistrust regarding international participation, about specific actors and the scope of their involvement. It appeared that there were always two parallel negotiations, one within each individual delegation and the other at the negotiating table between the negotiating parties.

Even though the international commitments had been sought by each peace delegations separately, both the FARC-EP and the Colombian government decided together to accept the international actors' support for the negotiations. The FARC-EP visited the relevant embassies of the different countries in Havana, Cuba. The Colombian government decided to apply a diplomatic strategy sending government members to other countries and to international organisations to carry out international lobbying tasks. These tasks were important because the contribution of international actors would legitimise the peace process in the domestic sphere, and it would be an input for the success of the negotiations, allowing an improve level of acceptance domestically.

The participation of international actors bilaterally and multilaterally was important for the successful conclusion of the negotiations. The support of different international

actors facilitated the smooth course of the negotiations, contributed to solving critical moments and supported the end of the conflict and the implementation stage. There was direct support to the negotiating table from guarantor and accompanying countries, the US, the EU, the ICRC, UNASUR, CELAC, the UN, among other experts, leaders and international representatives. At the same time, several countries expressed diplomatic support. The international participation influenced the decision-making process by mediating and guiding decision-makers with strategic advice that would promote the continuation of the negotiations for achieving a successful peace agreement.

Other international advisors were hired by President Santos who prior to initiating the first contacts with the FARC-EP, organised a group of international advisors with a universal vision of conflicts and negotiation processes. This group would support the decision-making process at the domestic level in the governmental sphere without participating directly at the negotiating table. The advisors provided guidance on how to deal with international and national actors especially in times of internal crisis caused by the political opposition, for example the plebiscite result. In addition, they helped to create unified positions for the Colombian government and its delegation. In the end, the international experts' advice added trust and confidence from the beginning of the government's decision-making. Obviously, as the negotiations progressed there were specific issues to the Colombian case that were exclusively handled by the members of the government delegation who were experts in the particularities of the subject matter.

The negotiating parties agreed to include civil society in the negotiations, for which reason they decided to request from the UN, the National University and the Congress of the Republic the organisation of a national forum and regional working tables in which the points of the agreement would be discussed. Similarly, the UN and the Catholic Church selected the victims of the conflict that would participate in the negotiations. This highlights that the government's decision-making process created a strategy of democratic governance in which the collaboration of national and international actors served to legitimise that negotiating stage. The inclusion of these groups strengthened non-governmental domestic-international relations and gave confidence to the parties at the negotiating table.

That first involvement by the UN in collaboration with other national institutions in the peace process opened doors to their future direct participation in the negotiations. The Colombian government already had in mind the importance of receiving the UN direct support, and they understood the importance of starting a dialogue with the organisation. As a result, pilot projects of the UN agencies would be initiated during the negotiations.

These projects included demining operations, identification of the disappeared people, agreements for the rescuing of guerrilla children, replacement of illicit crops and the inclusion of gender issues in the agreement.

These projects mentioned above generated confidence from the negotiating parties in the UN, because they considered the UN participation during the peace process as successful facilitators and co-operators for the resolution of the conflict. However, initially these successes were not considered a significant reason to involve the UN in an eventual mission to end the conflict. There were three negotiations that were key in reaching the decision to officially commence the UN mission. The first negotiation took place within the Colombian government, where disagreements were discussed about the UN's mandate in a potential peace mission in Colombia. Later, there was a negotiation that took place between the Colombian government and the FARC-EP to agree on the inclusion of the UN as a neutral third party to assist in ending the conflict. Finally, there was a negotiation between the Colombian government and the UN to emphasise the importance of securing a resolution based on the peace negotiations with the FARC-EP, limiting the UN participation to what was previously agreed by the negotiating parties.

The negotiation inside the Colombian government about the UN mission considered the benefits of a new UN approach for conflict management around the world. This approach was chosen as it prioritised political solutions to conflicts, reaffirming the governments' role in reaching agreements. With this new direction, the UN sought to give more support through mediation. Taking into consideration this new UN approach, the Colombian government planned for the UN to take a more central role in the Havana peace process.

There were differing views within the Colombian government regarding UN participation. Certain influential groups in the government considered the participation of the UN with a peace mission to be exclusively for failed states, and therefore not appropriate in the Colombian case. Mainly, the Minister of Foreign Affairs was concerned that Colombia was at risk of an eternal UN mission under the mandate of the Security Council that could impose sanctions on the country and compromise governmental authority. The Minister of Foreign Affairs foresaw that the future costs of involving the UN through the Security Council would be assumed by the Colombian government and not by the FARC-EP. Consequently, it would be more favourable to choose a mission with a General Assembly mandate despite there being high levels of bureaucracy involved. For other governmental departments, principally for the High Commissioner for Peace and the UN Permanent

Representatives for Colombia, a mandate from the General Assembly would generate greater delays, would leave them less capacity to implement measures and would incur serious budgetary complexities.

There were further negotiations held between the Colombian government and the FARC-EP to consider the best international organisation to contribute to the end of the conflict. At the time, it was clear that the FARC-EP would not hand over their weapons to the Colombian military forces, so it was necessary to have a third neutral party to assume that role. The FARC-EP initially supported the inclusion of the UNASUR, OAS or some other Latin American solution as a neutral party as they did not trust the UN participation. However, it was important for the Colombian government to convince the FARC-EP to accept the UN as the only organisation capable for successfully carrying out a mission of this scope. In order to sway the minds of the FARC-EP negotiators, the government outlined just how difficult and costly a mission of this scale would be and that the UN were the only party with the resources and capabilities to successfully complete it. Following complex negotiations, the FARC-EP accepted the participation of the UN but requested CELAC involvement for the MM&V. Ultimately, both parties agreed that the mission should include non-armed observers and that the security of ex-combatants should be the responsibility of the Colombian state.

The first UN resolution was the result of a year and a half of negotiations between the Colombian government and the FARC-EP, which ultimately was considered a good outcome for the Colombian government. This resolution focused on solidifying the UN's role in the disarmament and demobilisation verification process. Alongside this, a compromise was established to create a new mission to verify the government's implementation of the final agreement. The first resolution eased the Minister of Foreign Affairs' concerns, where one of her main worries had been the inclusion of the FARC-EP's requests regarding issues related to human rights. Clarification of these issues came from the UN envoy who assuaged the guerrillas' doubts which of these would be included in the resolution according to the UN's limited mandate. Simultaneously, the guerrillas were supported by the Cuban representative, who provided advice on the UN system. In order to prevent a breakdown of negotiations caused by irreconcilable sticking points between the Colombian government and the FARC-EP, the UN envoy redirected discussions to issues that were mutually resolvable.

As previously mentioned, regarding the tripartite MM&V, the government and the FARC-EP had agreed to request the CELAC's participation in the ZVTN. However,

there were disagreements about which countries would send non-armed observers to the mission. The Colombian government requested they not include members from neighbouring countries, especially from Venezuela and Ecuador. By the stage, it had become difficult to negotiate for the exclusion of countries that had contributed significantly to the success of the negotiations from their conception, especially in the case of Venezuela. For the Colombian government, it was important to avoid using military personnel from these countries to prevent straining relations with the Colombian military forces. The UN envoy presented impartial proposals on those issues; this influenced the positions of the domestic negotiating parties in a more closely aligned direction.

The Colombian government contributed with diplomatic work in the UN Security Council to seek further UN support for negotiations with the FARC-EP. Their delegation from the Minister of Foreign Affairs to the UN reviewed all prior first resolutions that created a PKO or a SPM. These were studied to identify those that were most suitable for adaptation in Colombia. Following an initial investigation and identifying the most applicable cases, they would further narrow their search by studying the subsequent resolutions of these cases. This showed that the Colombian government was committed to understanding the workings of the supranational organisation by researching its previous actions and outcomes. The government endeavoured to establish a middle ground balancing the methods of the UN with the domestic demand to retain independence. This desire for continued independence was made difficult by the UN's reliance on falling back to strategies they had employed in similar cases. It was also difficult to argue with such a well-established body in negotiating and executing peace mandates.

There was also investigative work with leaders of countries in which the UN had participated in these peace operations, and with UN officials who were experts in those territories. The results of these investigations at the UN Security Council aided in the selection of which could be the best mission framework to apply in the Havana peace process. Consequently, after determining that the best option for Colombia was a form of SPM, negotiations began between the Colombian government and the UN to outline the special conditions that would be associated with that mission. The outcome of these negotiations was unprecedented, having produced for the first time a hybrid between a PKO and a SPM, resulting from adjustments requested by the negotiating parties in Havana. Following this, the Colombian government and the UN negotiated a number of more practical issues, in technical, legal and financial terms, which passed without incident.

The Colombian government worked to limit the scope of the UN's involvement outside of what had been previously negotiated with the FARC-EP, by explaining to the Security Council the importance of working within these terms to avoid a breakdown in negotiations. The proximity of the Colombian government to the UK as a penholder also limited unilateral UN modifications, as they could specify what small adaptations to the text of the resolution were made. This set of diplomatic circumstances and preparation by the Colombian government produced a change in the traditional *modus operandi* with respect to the promotion of peace within the UN.

This analysis of the Colombian government's negotiations regarding the participation and specific role of the UN in ending the conflict shows that the Colombian government developed a clear strategy to define UN participation, ensuring continued alignment with the pre-negotiated terms between the two parties. Similarly, it has demonstrated that the participation of the UN during most of the Havana peace process was ruled to be an off-the-table support role, as requested by the negotiating parties. The request for this UN mission was unlike any that had come before the Security Council in the past, in that it was requested by the host nation. Beforehand, the UN Security Council would have typically appointed a number of commissions and missions to take leadership of the process and mediate. These methods remain in use today, as seen in UN efforts in Yemen and Syria, where the Secretary-General's special envoy leads negotiations.

Negotiations on the resolution between the Colombian government and the UN went ahead considering the predefined terms agreed by the negotiating parties in the Havana peace process. This was a direct result of concentrated efforts by Colombian officials to the UN. To achieve this, the governmental lobby from the Colombian High Commissioner for Peace in the Security Council since 2011, the role of the Permanent Representatives for Colombia to the UN, and the delegation of the Colombian Foreign Ministry to the UN worked on making clear a win-win position for both the UN and Colombia in the final peace agreement. It was a negotiation in which the second (national) level, had an indisputable role in limiting the scope of the UN support. At the first (international) level, both the UN and Colombian government were heavily influenced by the outcomes of negotiations at the domestic level, which reflected the respect they had for domestic viewpoints.

The aforementioned hard work of Colombian officials in the international arena was key in achieving a Colombian tailor-made UN resolution (2261/2016) which was unanimously approved. The success of this resolution was in part due to this being a great opportunity to reinforce the UN's international position through a mission that could

conclude a war which had spanned more than five decades. The UN's confidence in the success of the peace process was demonstrated by its approval for the first resolution even before the final peace agreement was signed. A further boon for the UN was that to be a key participant in the end of the last internal armed conflict in the western hemisphere would promote greater confidence in the UN worldwide. Furthermore, the success of the mission in Colombia would encourage debate and help progress a resolution to supervise the SPMs within the Security Council.

For the Colombian government and the FARC-EP, UN participation in the peace negotiations represented the international support of the most important supranational organisation experienced in conflict resolution worldwide, which helped to legitimise their negotiations. Both parties have benefited from the decision for more direct participation by the UN in the resolution of the conflict. For the FARC-EP, the UN coordinating the verification of the first and second missions represented a guarantee that they would not be abandoned after ending the peace process, and that the agreement would have sustainability. Simultaneously, the Colombian government having an experienced and accredited organisation such as the UN coordinating the cease-fire, receiving the FARC-EP weapons and organising the location of the guerrillas in the ZVTN was proof of the government's commitment to transparency that would be internationally guaranteed. Furthermore, for the Colombian government, the UN logistical, technical and financial support were essential for success in the peace negotiations.

This research has demonstrated how the Colombian government's decision-making process, that involved international cooperation, contributed significantly to the Havana peace process and shaped its final peace agreement. The role of international actors was important in influencing government decision-making, from the beginning of the peace process, throughout the negotiations, and in securing an end to the armed conflict. As a result, the Colombian government would take steps to enshrine the final agreement within the internationally recognised mechanisms of the UN and the Geneva Convention. It represented a shining example of what a sovereign nation could negotiate with the assistance of experienced international authorities with credibility and authority in peace efforts.

In summary, this thesis has focused on the negotiations of the Havana peace process that took place from 2012 to 2016. In analysing that period, this work has considered the background to the negotiations and the beginning of the implementation stage of the peace agreement. Furthermore, it has demonstrated that the government's decision-making process

under the presidency of Juan Manuel Santos involved a wide variety of national and international actors from across the political spectrum, who influenced the final decisions and contributed to the end of the conflict with the FARC-EP. The objectives of the Havana negotiations were realised in the final peace agreement, which was constructed upon specific objectives that would be essential in overcoming the conflict. However, there were institutional shortcomings in the establishment of legislative parameters to comprehensively implement what had been agreed.

This thesis was concluded on August 7, 2020, yet to this day the peace process is experiencing difficulties in its implementation. Although the objective of international participation was to hold successful negotiations and to ensure the sustainability of the peace agreement, the implementation stage is primarily dependant on the Colombian national government. At the time of writing, the peace process is going through a major crisis that is largely driven by a change of government, which has shown from its initiation to be strongly opposed to the terms of the peace agreement.

The current position of the Presidency is controlled by the party that had, during the peace process, the greatest opposition to it (Partido Centro Democrático; Democratic Center Party). This government of President Iván Duque (2018-present) has driven a political decision-making process that limits the implementation and the scope of some points of the peace agreement as it was signed. Currently, there are problems in recognising the former FARC-EP combatants' reintegration into society and their security guarantees, and other issues including those related to agricultural development in rural areas and solutions to the problem of drug trafficking.

Furthermore, there has been little assimilation by Colombian society of the ex-combatants. The Havana peace process did not consider the institutional strategies required to solve structural transformational issues, specifically, those strategies needed for the preparation of the society to receive the ex-combatants and effectively implement their security guarantees. To date (August 2020), 220 ex-combatants have been assassinated and the number of guerrilla dissidents continues to grow.

From the beginning of the peace process until the moment this thesis was completed, Colombia has remained, politically, a highly polarised country. This polarisation is due to political tensions that react to electoral interests by placing the peace agreement in the middle of the battlefield between its supporters and the opposition. As mentioned above, the success of the peace agreement depends on the implementation of what has been written and

stipulated in the text of the agreement. This process will depend on the political will of subsequent governments (taking into account the fifteen-year term by which to complete implementation stage) thus giving the future of the agreement a degree of uncertainty. To that end, in order to save the peace agreement, subsequent governments should look to establish new decision-making processes that will involve those who are committed to complying with the agreement and those who will see it through.

### **Theoretical Implications of the Research Findings**

Through this thesis we have developed and contributed further to the existing theoretical framework. This research demonstrates that decision-making processes that consider the participation of international actors can go beyond negotiations, involving bargains between domestic actors to obtain gains, and show how the cooperation of international actors can not only influence gains for domestic actors, but also promote conditions for domestic negotiations to be successful.

Furthermore, an important development contributed by this thesis to our framework was that it demonstrated that the theoretical assumptions that are generally only applied to short-term conflict negotiation, can also be used in longer-term conflicts such as this. In the initial works of Allison (1971), he outlines the Governmental Politics Model of the “1962 missile crisis”, a short-term conflict. This thesis has shown that this model can be effectively applied to long-standing conflicts, as in the case of the peace negotiations in Colombia. Similarly, this thesis shows that the negotiation process can be affected by international actors in a cumulative way, that is to say over time. In that sense, lessons learned from previous negotiations, even where unsuccessful (for example the failure of the Caguán peace process), generates experience and knowledge that in the future can be used to expand the win-set of a negotiation.

In this thesis there are two considerations that reinforce the arguments of the theoretical framework, firstly, the important role of the presidential figure in the decision-making process, that is, as the most significant political unit in the decision-making process as the works of Pinheiro (1994) and Villa and Cordeiro (2006) show. Secondly, the importance of introducing an international vehicle to generate trust between domestic actors involved in a long conflict. The analysis proved that the participation of the UN, while initially defined as having an off-table role, developed into a much more active participant and coordinating position. Other international actors, such as the guarantors and

the accompanying countries during the majority of the Havana peace process remained in the off-the-table support role requested by the negotiating parties.

Other theoretical frameworks based on neorealist perspectives have drawn attention to the importance of the international structure as the key to international government's decisions and strategies (Waltz K. N., 1979). This thesis builds on this viewpoint, to show the importance of cooperation from international actors and its domestic impact, while further suggesting the value of the structure or of the systemic environment. However, it is clear that our research shows how our original framework is more effective than those of competing perspectives in that it presents evidence that domestic and international actors are less concerned with the perspective of relative gains than with absolute gains, that is, the gains that come from cooperation in ending a long conflict. Long conflicts are a loss for everyone.

In addition, our ultimate theoretical argument contributes to and enriches decision-making frameworks by showing concretely what are the most consistent political, institutional (and normative) and technical resources that can be mobilised through international cooperation to expand the win-set (Putnam, 1988) of domestic negotiation for cases involving long-term armed conflicts, as in the Colombian case involving the government and the guerrillas. This is where the traditional theory of the decision-making process falls short and aims to strengthen the argument by describing and demonstrating the efficacy of international resources and cooperation. Moreover, the traditional theory of the decision-making process does not consider the way in which the negotiation of other international conflicts that had successful outcomes can contribute as models from which lessons can be learned and used by negotiating actors involved in a conflict. In the case of the Colombian government negotiators, especially the President, they used this knowledge of international cooperation to enrich their decision-making process in negotiations to end the conflict with the FARC-EP.

This research shows that the best way for theoretical frameworks to be tested, in the case of decision-making processes, is through solid empirical research. Nevertheless, it remains commonplace in research that it has a deductive character to deal with hypotheses regarding the decision-making process. Leaving this epistemological fixation behind requires firm and well-defined empirical approaches, and that is precisely what this study intended to achieve, using solid, qualitative, and empirical research that allowed testing and brought evidence to tackle the research problem and support its arguments.

Finally, the field work of this thesis made an empirical contribution by carefully structuring interviews that compiled information from primary sources by investigating the main participants in the Havana peace process. This work is important as it was able to gather the specific accounts of the actors involved, which is rarely available in the official reports of such events. The importance of these types of primary sources is emphasised by Allison (1971), also citing Neustadt (1960), who stated: “If I were forced to choose between the documents on the one hand, and late, limited, partial interviews with some of the principal participants on the other, I would be forced to discard the documents”.



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## Annexes

### Annexe 1.

**Table 5.** Interviews Conducted

\*Note: All of these interviews were cited in the thesis and included in the reference section.

Name	Interviewee Role	Place	Date
<i><b>Colombian Government</b></i>			
Juan Manuel Santos	President of the Republic (2010-2018)	Oxford/United Kingdom	15 November 2019
Humberto de la Calle	Chief Negotiator during the Havana Peace Process	Bogota/Colombia	12 December 2019
Sergio Jaramillo	High Commissioner for Peace during the Havana Peace Process	Brussels/Belgium	12 July 2019
María A. Holguín	Minister of Foreign Affairs of Colombia (2010-2018)	Villa de Leyva/Colombia	27 December 2019
Óscar Naranjo	Vice President, Peace Negotiator (Retired General Colombian Police)	Bogotá/Colombia	19 December 2019
Néstor Osorio	The UN Permanent Representative for Colombia (2010-2014)	London/United Kingdom (by phone)	17 December 2019
María Emma Mejía	The UN Permanent Representative for Colombia (2014-2018)	Bogota/Colombia	23 December 2019
Diana Lucía Rengifo	Advisor, Office of the Minister of Foreign Affairs	Singapore/Singapore (by phone)	7 January 2020
Julián Arevalo	Advisor, Oficina del Alto Comisionado para la Paz (OACP)-Office of the High Commissioner for Peace	Bogota/Colombia	13 May 2019
Andrea Peña	Advisor (OACP)	Bogota/Colombia	14 May 2019
Horacio Serpa	Senator of the Republic of Colombia (2014-2018)	Floridablanca/Colombia	10 May 2010
Captain Omar Cortés	Colombian Navy retired. Member of the Technical Subcommittee for Ending the Conflict (STFC, Spanish acronym)	Bogota/Colombia	17 December 2019
Jonathan Powell	International Advisor (Former British Diplomat)	London/United Kingdom	20 November 2019
Dr Shlomo Ben Ami	International Advisor (Former Israeli Diplomat)	Tel-Aviv/Israel (by phone)	27 November 2019
Dr Dudley Ankersen	International Advisor (Former British Diplomat)	London/United Kingdom	5 December 2019
Dr William Ury	International Advisor (Negotiation Expert from Harvard University)	New York/The United States of America (by phone)	13 January 2020

<b><i>FARC-EP</i></b>			
Luis Alberto Albán (better known as Marcos Calarcá)	Negotiator. Heading the Implementation of the Monitoring and Verification Mechanism (MM&V)	Bogota/Colombia	16 January 2020
Julián Gallo (better known as Carlos A. Lozada)	Negotiator. Head Member of the Technical Subcommittee for Ending the Conflict (STFC, Spanish acronym)	Bogota/Colombia	9 January 2020
Ricardo Téllez (better known as Rodrigo Granda)	FARC-EP Negotiator	Bogota/Colombia	13 January 2020
<b><i>UN</i></b>			
Jeffrey Feltman	UN Under-Secretary General for Political Affairs (2012-2018)	New York/The United States of America (by phone)	27 August 2019
Mauricio Artiñano	Advisor for the UN Special Representative of the Secretary-General and Head of the UN Mission in Colombia	Bogota/Colombia	9 January 2020
Raúl Rosende	Chief of Staff of the UN Mission in Colombia. Head of the UN Office for the Coordination of Humanitarian Affairs (OCHA) in Colombia (2008-2010)	Bogota/Colombia	13 January 2020
Yohn Medina	National Security Coordinator of Guarantees the UN Mission in Colombia.	Bogota/Colombia	13 January 2020
Alessandro Preti	Chief of Reintegration at the UN Verification Mission in Colombia	Bogota/Colombia	15 May 2019
<b><i>Academic and Researcher</i></b>			
Dr. Jairo Estrada	Prof. National University of Colombia and Director of the Center for Political Thought and Dialogue	Bogota/Colombia	27 January 2020

## **Annexe 2.** The Plebiscite and the Nobel Peace Prize

Later, on 24 August 2016, both delegations announced that they reached a general agreement on all points of the Havana peace agreement. Prior to the announcement of the agreement on cessation of hostilities, the Colombian government presented to the Constitutional Court and Congress a Project to regulate the approval of the agreement. President Santos had a proposal based on a citizen plebiscite to endorse the agreement between the government and the FARC-EP. In his Nobel speech, President Santos (2016) stated that the lessons learned from the peace processes in Central America, South Africa and Northern Ireland were tailored to the Colombian case. From these lessons, President Santos (2019a) highlighted citizen participation to endorse agreements through a plebiscite was relevant. It was also through advice coming from Jonathan Powell, one of President Santos' international advisors who participated in the Northern Ireland peace process. Powell (2019) made the point that, this kind of dialogue takes place in secrecy and agreeing things in the dark are quite controversial and consequently people could attack the negotiations. So, having a referendum would strengthen the negotiations. However, they had not anticipated losing it, because they considered it hard to lose a referendum on peace.

The High Commissioner for Peace, Sergio Jaramillo (2017) explained that the decision to call citizens to endorse the agreement, reached between the parties, is given mainly for two reasons: to provide legitimacy to the democratic process and to compensate the deficit of citizen participation in the Havana negotiations.

The approval of the plebiscite was convened for 2 October 2016 as a mechanism for confirming the agreement (UN Security Council, 2016h). During the previous months of the plebiscite, the final negotiations continued in Havana, defining the last points of the agreement in line with Santos's request to speed up the negotiations.

A strong national campaign was developed for and against the peace agreement in the vote for the plebiscite, this started the last months of the final phase of the negotiation and after the signing of the general agreement. On 2 October 2016, the results of the plebiscite vote showed the rejection by the majority of the population, by a narrow margin. This situation legally made it impossible for the President to implement the final agreement. Consequently, it was necessary to make amendments to the general agreement already signed for a new endorsement. Despite this mishap, the parties reiterated their commitment to the pursuit of peace and to work on the consideration of changes by the citizenry that do not support the initial peace agreement.

President Santos organised meetings with the leaders of the "no" to the plebiscite campaign led by former President Alvaro Uribe to discuss and receive the proposed changes

to the agreement. Sergio Jaramillo (2017) discussed the opposition's refusal to accept that there was an armed conflict in Colombia and the political participation of the FARC-EP as part of the agreement. Consequently, President Santos as leader of the government tried to integrate the oppositions proposals into the agreement. In a speech by President Santos (2016), after receiving the plebiscite results he convened a national dialogue for union and reconciliation, trying to turn this setback into an opportunity to reach the broadest consensus to achieve a new and better agreement. The changes raised by the opposition, which did not include any modifications to the ceasefire and the laying down of arms agreement, were received by the government (UN Security Council, 2016j).

The perseverance of the Santos government to reach an agreement for ending the armed conflict with the FARC-EP in Colombia received a warm reception by the Norwegian Nobel Prize Committee. Subsequently, President Santos was awarded the Nobel Peace Prize on 7 October 2016. This news gave a boost and energy to the peace process after the setback suffered by the plebiscite results, and more work was done to conclude a new agreement including the amendments (UN Security Council, 2016m; The Norwegian Nobel Committee, 2016). It was another example of international support to the peace agreement and specifically to the Presidents efforts for peace.

In the 2016 Nobel Peace Prize speech, President Santos (2016) summarised the decisions and lessons that the peace process with the FARC-EP had left. In his own words:

1. We must prepare and advise properly, analysing what failed in previous peace attempts in the country itself, and learning from the successes and failures of other peace processes.
2. A realistic and concrete negotiating agenda should be set to resolve issues directly related to the conflict and not to cover all the Nation's problems.
3. Negotiations must be brought forward with discretion in confidentiality so that they do not become a media circus
4. Sometimes to reach peace it is necessary to combat and dialogue at the same time. (Santos J. M., 2016)

President Santos also (2016) emphasised that the peace reached with the FARC-EP belongs to the whole country and must be built by everyone. According to his words every decision that was made for the negotiations was carefully studied, it considered different national and international lessons. The strategies for the success of the negotiations were based on certain goals and objectives to achieve those that were concise.