

TOWARDS A “COMPLETE PEACE”: ELN NEGOTIATION AGENDA

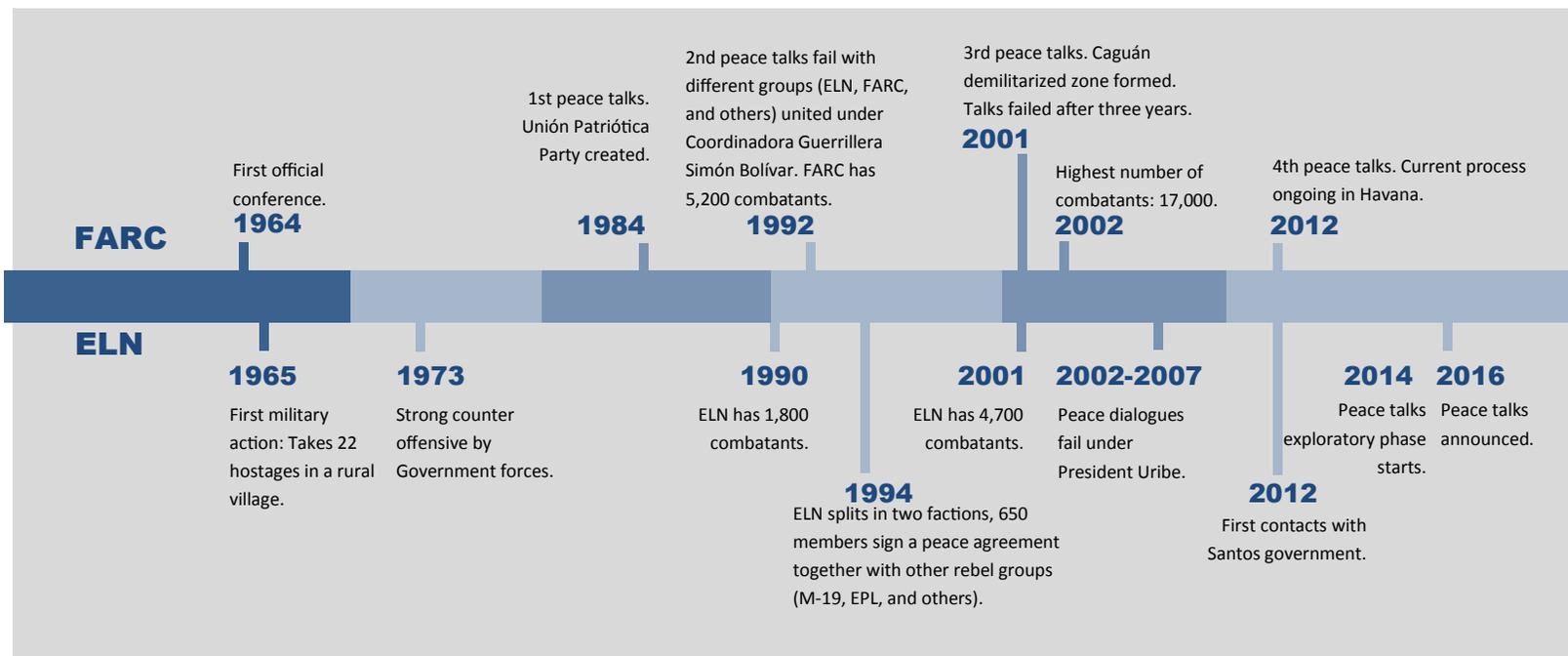
INTRODUCTION

With this new step, we advance decisively towards a complete peace. (President Santos on start of formal talks with ELN)

In March 2016, after two years of exploratory and confidential talks, the Government of Colombia (GOC) and the National Liberation Army (ELN) announced the start of the public phase of peace negotiations. The news arrives at an important moment in the peace process between the Revolutionary Armed Forces of Colombia (FARC) and the GOC, which is expected to culminate successfully in 2016 in its fourth year of talks.

The announcement raised expectations for the achievement of a more stable and lasting peace with the prospect of negotiated settlements with the two most significant remaining guerrilla groups in Colombia.

With the aim of contributing to an informed discussion, this article briefly describes the similarities and differences between the two groups as well as their respective peace processes; the ELN’s current situation as it arrives at the negotiating table; and potential obstacles to success in the GOC-ELN process.



PARALLEL PROCESSES, PARALLEL AGENDAS?

The exploratory dialogues of the last two years with the ELN resulted in an agreement on a six-point agenda for the negotiations, coinciding with the parallel six-point agenda in discussion with the FARC. There is close similarity between three of the six points on both agendas. The President of Colombia declared, in his communication on the start of the peace process with the ELN, that these similar points would not be renegotiated.¹ Among the three topics that distinguish the ELN’s agenda from that of the FARC, the first concerns citizen participation. The ELN has been emphatic in the desire to give a central role to citizen participation throughout the process, which can strengthen the process, but also presents numerous challenges.

Table 1

PEACE NEGOTIATION AGENDAS

ELN	FARC
1. Participation of society in peacebuilding	1. Comprehensive rural reform
2. Democracy for peace	2. Political participation
3. Transformations for peace	3. <i>Ending the conflict*</i>
4. <i>Victims*</i>	4. Solution to the illegal drug problem
5. <i>Ending the conflict*</i>	5. <i>Victims*</i>
6. <i>Implementation*</i>	6. <i>Implementation, verification and referendum *</i>

*Similar agenda points

The first three topics of the ELN agenda are vague and difficult to implement. Rather than a single location for talks, as agreed by the FARC and the GOC (in Havana), the ELN process contemplates five host countries. This is complicated not only in terms of logistics, but also in view of the interests and objectives of the various countries, as each may want to make its own mark on the process. There are also differences between the FARC and the ELN in organizational structure, the philosophies of each group and presence at the local level. See Table 2.

Dimension	ELN	FARC
Origin	In 1962, university students sought to replicate the experience of Castro after a trip to Cuba. In 1965, the group was officially established after taking over a town.	Rural self-defense forces came together in the 1950s with communist guerrillas, following attacks by the army. The first official conference was held in 1964.
Local structure	More horizontal and federated	More vertical and centralized
Ideology	Multiple influences: liberation theology, messianic concepts, Cuban revolution	Colombian communist party combined with Marxism-Leninism
Conception of power	Development of policies with the communities at the local level.	Political work but with a greater emphasis on taking through military force.
Differences in demands	Fighting for the poor, nationalizing of the mining and energy sector and industry in general, and resisting incursion of foreign capital.	Agrarian reform: fighting against large landholders and ensuring access to land for farmers.
Current territorial presence	8.1%	21.5%
Approximate number of active combatants	1,500 – 2,000	7,500 – 8,000

ELN CURRENT SITUATION

While the ELN is commencing peace talks, it is at the same time recommitting itself to a war against the State. A common aspect of both peace processes is that neither established the precondition that hostilities end for the negotiations to start. In 2010, following a period of withdrawal and reduction in armed activities from 2005 to 2009, the ELN began a sustained escalation of attacks against the national oil infrastructure and public security forces. Between 2009 and 2015, annual combat operations rose from 64 to 352, an increase of 450%, which can be interpreted as a tactic to gain visibility on the national scene, but one that came at very high political cost in terms of community relations, and failed to improve their position in the balance of power.³

Regardless, focusing only on military aspects overlooks the ELN's political approach with communities. One of the ELN's historic priorities has been to build and defend a local political

project at the grassroots level. Many communities in regions with a historic ELN presence perceive its discourse and actions as incoherent. The increase in armed actions and the strengthening of financing activities related to alliances with oil companies and corrupt politicians, extortion, illegal mining, smuggling, kidnapping and drug trafficking have not helped to improve their image or their popular support.⁴

CHALLENGES

This step towards a “complete peace” will not be easy. In particular, three challenges could slow progress in negotiations:

- The horizontal structure and greater autonomy of the commanders of the ELN, in comparison with the FARC, and their involvement in illicit economic activities may lead to resistance among commanders.
- The ELN has long sought community involvement in decision making and has stated a desire to involve communities in defining the terms of a potential peace agreement. However, communities have no way to define what the guerrilla group is willing to accept in order to give up its arms, or what concessions the Government is willing to make.⁵
- Lack of clarity in the agenda could also lead to an impasse on the third agenda point, ‘Transformations for peace’. Agreements may be sought under this point that would severely challenge the Government in terms of timely implementation, such as overcoming social exclusion and eliminating corruption.⁶

FORECASTS FOR THE AGREEMENTS

Colombia's efforts to achieve peace would be greatly aided by a peace accord with the ELN, but there are numerous challenges that may hinder its attainment, such as the continued attacks and decentralized structure of the ELN, the logistics of negotiation in five countries, lack of clarity in the agenda, and the participation of civil society. On the other hand, the process has several positive elements. Headway has already been made on half of the agenda (given the similarities to topics already covered in the FARC-GOC peace talks) and there is hope that progress with the FARC, more generally, will help carry forward the process with the ELN. Finally, lessons learned from previous peace talks should be taken into consideration to ensure that the participation of civil society is channeled effectively to build consensus around a negotiated settlement.

1. Presidency of Colombia “Alocución del Presidente Juan Manuel Santos sobre el acuerdo de diálogos para la paz entre el Gobierno Nacional y el ELN”. March 30 2016.

2. Different sources: Celis, L. “Los once momentos más importantes en la historia del Ejército de Liberación Nacional”. 5 July 2014; Medina, C. (2010). “FARC-EP Y ELN Una historia política comparada (1958- 2006)”; Ideas for Peace Foundation. “Hoy y ayer del Bloque Oriental de las FARC”. March 2015; Echandía, C. “Auge y declive del Ejército de Liberación Nacional (ELN): Análisis de la evolución militar y territorial de cara a la negociación”. November 2013.

3. Valencia, L. and Ávila, A. “Los retos del postconflicto (Justicia, seguridad y mercados ilegales)”. January 2016.

4. Ibid

5. Nasi, C. “El rol de la sociedad civil en el inicio de las negociaciones de paz”. 2010

6. Nasi, C. “Agenda de paz y reformas: ¿qué se puede y qué se debe negociar? Reflexiones para un debate”. February 2003