



THE PEARSON INSTITUTE

FOR THE STUDY AND RESOLUTION OF GLOBAL CONFLICTS

The Reverend Dr. Richard L. Pearson Inaugural Lecture
featuring
Sergio Jaramillo, High Commissioner for Peace, Republic of Colombia

Monday, April 24, 2017
Full transcript

DANIEL DIERMEIER: Good afternoon, and welcome to the inaugural Reverend Dr. Richard L. Pearson Lecture at the University of Chicago. My name is Daniel Diermeier. I am the provost of the University of Chicago, and as many of you know, former dean of the Harris School.

[CHEERING]

That's kind of-- that's nice. That's nice.

[APPLAUSE]

As many of you remember, just over 18 months ago, we announced a landmark \$100 million gift, a gift equal to the second largest ever received by the University of Chicago, to establish the Pearson Institute for the Study and Resolution of Global Conflicts and the Pearson Global Forum. Since then, the institute has made tremendous progress. James Robinson was appointed faculty director of the Pearson Institute last spring. And in this role, he oversees the academic and research enterprise of the institute.

We also welcomed the first two Pearson chairs, Oeindrila Dube and Chris Blattman. And the Pearson Institute faculty, along with many of its affiliates, are hosting events, conferences, have started research projects that convened researchers and practitioners from a full spectrum of conflict study. We also admitted the first class of Pearson fellows and our first year Pearson scholar, who we'll hear from in a moment. Just last week, we launched a web portal, the website, for those we want to check it out, thepearsoninstitute.org, that is best in class, is already creating rave reviews, and translates the work of the Institute to a broad audience.

None of these achievements would have been possible without the transformational investment from the Pearson family. And today, we're honored to be joined by Tim Pearson, Tom and Jacqueline Pearson, and David Pearson. Thank you for being with us.



THE PEARSON INSTITUTE

FOR THE STUDY AND RESOLUTION OF GLOBAL CONFLICTS

[APPLAUSE]

In addition to their landmark philanthropic gift to the university, I'd like to take this opportunity to thank them for being partners with us every step of the way. Each of them has a deep and passionate commitment to creating a world more in peace. This is the defining policy issue, foreign policy issue, of our time, and the one that causes the greatest amount of human suffering around the world. It is their dedication and willingness to lend their professional expertise and insight, which has been instrumental to getting the institute up and running. Thank you.

Today, it is a great honor for us to welcome Sergio Jaramillo, the Colombian High Commissioner for Peace, to the University of Chicago. He is a leader who embodies both the ambitions and the values of the Pearson Institute, resolving conflicts and creating a world more at peace. For years, he worked tirelessly to negotiate the peace accord between the Colombian government and the FARC, which is one of the longest running conflicts in the world.

Before we hear from the high commissioner, I'd like to introduce our inaugural Pearson scholar and Harris PhD student, Mariana Laverde, to begin today's program. But before we do that, I'd like to also say happy birthday to Juliana Aguilar. Where are you, Juliana? Right there. Happy birthday, Juliana.

[CHEERING, APPLAUSE]

And it's now my pleasure to welcome Mariana Laverde. Thank you.

MARIANA LAVERDE QUINTERO: Good afternoon. My name is Mariana Laverde. I'm a third year PhD student and Pearson Scholar at the Harris School. I would like to start by sharing how honored I am for being named [INAUDIBLE] Pearson Scholar, and express special gratitude to the Pearson family for their generosity. As a Colombian, I can't hide the pride I feel as a student of the Pearson Institute, a one-of-a-kind research center devoted to the study and resolution of global conflicts.

In my opinion, influential research is one that combines rigorous methods and down-to-earth assumptions. But that's not all. Groundbreaking research is very often the product of collaborative work. As I see it, the Pearson Institute is successfully building the blocks to excel in these three dimensions. Bringing top researchers together and opening spaces like this one that bring policy complexities and successful strategies right to our door are the perfect ingredients to promote collaborative, rigorous, and insightful research.



THE PEARSON INSTITUTE

FOR THE STUDY AND RESOLUTION OF GLOBAL CONFLICTS

Today is a particularly exciting day for me, as I bet it is for all the Colombians here. After many years of being in the spotlight for our dysfunctionalities, Colombia is now seen as an example of improvement and good perspectives. The agreement reached with the FARC puts Colombia on the right track to eliminate one of our most persistent threats to democracy. The approval and ongoing implementation of this peace agreement is without a doubt one of the most important events in Colombian history. I invite you all to capitalize the privilege of hearing first hand Sergio Jaramillo, High Commissioner for Peace of the Colombian government. He continues to be a key figure in the success of the process and its implementation.

Now, I would like to introduce James Robinson, faculty director of the Pearson Institute and the Reverend Dr. Richard L. Pearson Professor of Global Conflict Studies and university professor. Professor Robinson is a political scientist and economist and has spent his life researching the root causes of conflict with particular interest in studying the conflict in Colombia. His work explores how institutions emerge out of political conflict with a focus on the relationship between inequality, conflict, and democracy. Professor Robinson is leading the charge of the Pearson Institute. He and his team are responsible for putting this great event together. It is my honor to welcome Professor Robinson to the stage.

[APPLAUSE]

JAMES ROBINSON: OK, thank you very much. Thanks, everyone, for coming. And thanks very much to the Pearsons for making this happen. They're all hiding at the back. But thank you. It's very exciting.

And welcome to the inaugural Reverend Dr. Richard L. Pearson lecture. This is something which we started and conceived of, an annual lecture where we bring someone who's really achieved something in terms of creating peace in the world, and we let them talk about how they did it and what they think the lessons from that are. So this is not some academic scribbling like me or Chris or Oeindrila. This is someone who actually did something momentous.

So I'm not going to talk too much because we're here to listen to him, not me. But I would say a few things about Sergio.

So we got to know each other about 15 years ago, when he was the director of the think tank, Ideas for Peace. So he's been thinking about this for a while. And we put together a conference that we were going to have at the Rockefeller Center at Harvard, where I was about to start teaching. So we put together a conference on the Colombian peace process and the Colombian conflict, which the Rockefeller Center then immediately refused to fund. So it was after a not-too-auspicious a start.



THE PEARSON INSTITUTE

FOR THE STUDY AND RESOLUTION OF GLOBAL CONFLICTS

But I was on sabbatical in Colombia at the time when Sergio-- I mean, it's worth pausing to think about this a little bit. Daniel mentioned this, the Colombian conflict, as one of the longest running conflicts in the world. The FARC, who are on their way to peace, started off in 1964, at least formally. You could trace them back earlier than that. And there's been innumerable failed attempts to negotiate with them in the early 1980s, the late 1980s, the late 1990s. In fact, I remember, while a friend of mine, Juan Carlos Echeverry, who was at the time minister of planning and development during the last negotiations, he went off into the jungle of Caguan to negotiate with the FARC after having spent weeks and weeks coming up with a plan to discuss. And he sat down. And they said to him, oh, we're not going to discuss this in such bourgeois terms.

[LAUGHTER]

In fact, the metaphor that most fits previous negotiations with the FARC is the empty chair. So Colombians in the room know what the empty chair is. Actually, there was a lot of empty chairs. The empty chair was when the government of President Pastrana came to start negotiations and the leader of the FARC at the time didn't bother showing up. And President Pastrana sat there humiliated next to the empty chair. So Sergio wasn't going to let that happen.

And the way he went about it was enormously strategic and thoughtful. So on his own, he went off to the mountains of Colombia, as the FARC likes to say, to negotiate the agenda for the talks. So instead of just going out and saying, well, what should we talk about today, he came up with an agenda. What was on the agenda? What was off the agenda was maybe more significant than what was on the agenda. Because in negotiating that agenda, he took off the table many of the pointless, futile issues that had bogged down in previous negotiations.

So we could talk about structural features or the structural reasons why the negotiation has succeeded now when it failed time and time again before. But my own perspective is that it's about tactics. It's about strategy. It's about coming up with an agenda to make this happen. And I also saw, at the time, it was about trying to find issues where, in some sense, what the FARC wanted coincided with what was good for the country. It sounds crazy, doesn't it?

But think about the first issue on the agenda, rural development, rural infrastructure. Colombia needs rural development. It needs rural infrastructure. It needs enormous institutional reforms in the countryside. That may be what the FARC have been carping on about since 1964. But it would be very good for many, many Colombians as well.



THE PEARSON INSTITUTE

FOR THE STUDY AND RESOLUTION OF GLOBAL CONFLICTS

So I think maybe he's going to talk more about this. I could talk more, maybe too much. But I think what's impressed me is not the structural features that have brought peace, but the immense seriousness and strategical sophistication which has got the country to where it is and has brought off this remarkable agreement. So without further ado, I'd like to welcome to the stage the Colombian High Commissioner for Peace.

[APPLAUSE]

SERGIO JARAMILLO CARO: Let me first thank the University of Chicago, the Pearson family, and in particular, Professor James Robinson-- and thank you for those kind words, Jim-- for doing me the honor of inviting me to give the inaugural lecture of the Pearson Institute. At a time when so much uncertainty and so many threats seem to hang over the world and when so many seem interested in promoting those threats, it is an act of courage and of brave lucidity to found an institute dedicated to the resolution of conflicts and the pursuit of peace.

And that is what I want to talk to you about today, the possibility of peace. That is the name I've given to this lecture. My aim is to answer a simple question. If Colombia suffered such a long and protracted conflict as it did, what made the achievement of a peace agreement possible? Or as one of your colleagues asked me last Friday, why now?

I would like to dedicate this lecture to the memory of Thomas Schelling, who passed away last December. Three years ago, I invited Tom to attend a small meeting in New York to brainstorm the Colombian peace process, along with John Elster, Owen Fiss, Louise Arbour, Jim Robinson, and others. And Tom happily hopped on a train in Washington at age 92 and contributed vigorously to our discussions.

I learned many years ago two things from Schelling that helped me much along the way. The first is the well-known insight that no conflict is a pure conflict, but rather a combination of competitive and co-operative motives or interests, a mix. The second, in his wonderful phrase, is that if that is the case, then winning in a conflict means not so much winning relative to your adversary, but to your own value system. And there are many ways of doing that, including negotiations and solutions in which all can win.

Let me use those points to frame the problem. A protracted conflict is one that has become a way of life. The military go about their daily business. The guerrillas do as well. And many citizens even forget that their own country is still at war. If that goes on for five decades, as it did in Colombia, then clearly, there are powerful interests and conditions that militate against a solution.



THE PEARSON INSTITUTE

FOR THE STUDY AND RESOLUTION OF GLOBAL CONFLICTS

And naturally, a conflict that goes on for that long has devastating effects among civilians. The scandalous figures, the millions of millions of internally displaced, the hundreds of thousands of dead, and the tens of thousands of those who were kidnapped or forcefully disappeared do not give an adequate picture of the extent of the suffering, what it means for a family to be driven from their land and thrown into the misery of shantytown life, or for a mother to wait day in, day out for news of her son that was taken away one day over someone simply to live in an area where combat operations can break out any time or your child can get recruited in school by an armed group.

So the question I want to address, I want to turn to, is how to turn this logic of confrontation that has kept the conflict going for so long and built up so much resentment into a logic of cooperation that leads to peace. There are two complementary ways of looking at this problem. One is to say, what conditions changed that made the negotiation possible? That is what students of peace processes like to call ripeness. And I am going to leave that for future analysts to comment on.

Let me just say that the most commonly mentioned change, the change in the military balance, was certainly a necessary condition for the negotiations to occur, but it was in no way a sufficient condition to reach an agreement. Guerrillas almost never surrender. The conflict could have lingered on in the Colombian countryside for another decade without a problem. Historians, as we know, like to produce explanations and show how one thing leads to the next. But when you have been in the thick of things long enough, you become a skeptic about historical explanation, and you understand that a favorable environment in no way guarantees a result.

The other way to look at this is to understand how the peace process itself can create incentives to change the mix of interests so that cooperation prevails over confrontation, enough at least so that agreement can be reached. Schelling writes about the strategic moves that can alter the nature of a game. And that is what I want to talk to you about today, the strategic moves, if I may call them that, which allowed us to reach an agreement with the FARC.

But rather than use the language of games, I prefer to use the language of space. In my view, peacemaking, and perhaps strategy in general, is very much about constructing a space or spaces that shape reality, that gets things to flow in a certain direction and open the possibility of transformation and change. It is, if you like, a form of design. You are building something out of nothing. And in that sense, it is like building a house. You agree on a plan. You then lay the foundation, then the ground floor. Then you add a few rooms and so on, except that it is literally a house in motion, with many moving parts that you try to hold together as best you can.



THE PEARSON INSTITUTE

FOR THE STUDY AND RESOLUTION OF GLOBAL CONFLICTS

Let me now describe 10 steps we took to open the space that made a peace agreement possible. You may call them lessons learned if you wish, but the process is not over. And I am a bit weary to call them that myself.

The first step was simply to recognize that there was a window of opportunity for peace. That is what President Santos did in 2010. Without that clarity of vision and the willingness to take all the political risks, we wouldn't have even got going. Leadership and courage are the first conditions of peace.

At the same time, after three major failed peace processes, we knew that the country could not stomach another failure. So we had to follow the strategy of prudence, which means doing things incrementally. And that was the right strategy, I think. It is well-known that the best way to secure cooperation is to build up results gradually over time.

Along with recognizing that there was space for peace, President Santos publicly acknowledged in 2010 that there was an internal armed conflict in Colombia. That may seem like stating the obvious, you might think, but it was not recognized by the previous administration. And to this day, it is the main bone of contention with the political opposition. But without that, not only do not have a framework for a political negotiation, you also have no dignity, which is a pillar of peace. I'll get back to that point later.

The second step was to set the international stage. In 2010, we were thoroughly isolated in the region. So one of President Santos's first acts as president was to sit down with President Chavez as responsible neighbors to lower the tensions. Within a few months, with the help of his foreign minister, Maria Holguín, President Santos succeeded in normalizing relations with our neighbors and in gaining the support of the whole region.

I had to go a few times myself to speak to President Chavez. I remember well how he told me a 20-minute anecdote, as he was wont to do, and ended by saying, we used to treat each other as enemies. We shall now treat each other as adversaries. That is the kind of thing that dialogue does.

[LAUGHTER]



THE PEARSON INSTITUTE

FOR THE STUDY AND RESOLUTION OF GLOBAL CONFLICTS

Next, we enlisted the support of Cuba and Norway to act as guarantors and hosts. Why Cuba, you might ask. Well, we made a bet that Cuba had an interest in helping to end the armed conflict. And that is exactly how things played out. Cuba gave the FARC the necessary security guarantees, offered us a place in which we could conduct secret negotiations far from the Colombian media, and provided all the human and material resources to make the process a success. And Norway, for its part, brought all its well-known quiet professionalism to bear on the peace process. At the same time, we put together a group of international advisors with deep personal experience in peace negotiations-- Jonathan Powell, William Murray, Joaquin Villalobos, Shlomo Ben-Ami, and Dudley Ankersen.

Clausewitz, as you know, said that the greatest act of judgment of a general was to understand the nature of the war he was fighting and not to take it for what it is not. And the same is true of a peace process. You need to understand what makes a particular conflict tick, and each conflict is different. But there are structural elements in negotiations that are necessarily similar. And you can learn a lot from what others have achieved and also from their mistakes.

A word about the role of the US. Few countries have enjoyed the steady bipartisan support over time from the US that Colombia has. The Obama administration was very supportive. It did not interfere in any way. And when, in late 2014, it became clear that a more active US presence was convenient, Secretary Kerry, with whom I spoke many times, quickly dispatched a special envoy to Havana at our request, Bernie Aronson, a very savvy and very patient retired diplomat. And thank you very much, all of you, for that. That was the right thing to do. When was the last time, I ask, when a war in which the US played a role ended with a successful peace deal?

[LAUGHTER]

The third step was to insist on holding secret talks and reaching a framework agreement before any public peace process would be launched. After a year-and-a-half of back-channeling and sending messages to and fro with the good officers of Henry Acosta, we started secret talks in Havana on 24th February 2012. And that had three major advantages. First, it allowed both sides to talk seriously and test each other out without the pressure of public opinion and the temptation to use the media to pander to its own audience, which is exactly what happened once the talks became public in October of 2012. Second, the framework agreement, which we signed on 26 August 2012, set out not just the agenda, but the terms and the whole vision of the peace process. It was a kind of contract so that the government, the FARC, and especially the Colombian public knew exactly what we were getting into.



THE PEARSON INSTITUTE

FOR THE STUDY AND RESOLUTION OF GLOBAL CONFLICTS

And third, the secret talks conferred the necessary dignity on the peace process. We treated each other as interlocutors at a negotiating table and spoke to each other with respect. That is something that, to this day, some in Colombia do not accept. They claim that government made itself the equal of the FARC. They completely missed the point. In a negotiation, you need to abide by the same rules and procedures because it is those rules and procedures that allow you naturally to get to agreements, but also, because it is they that confer the necessary dignity to do negotiation and to the other side.

The fourth step, and perhaps the crucial one, was to establish a narrative that would give a sense of direction to the peace process, set clear limits to the negotiations, and yet open a space within which both sides could live. That narrative was the end of the conflict. From the beginning, we said that this process, unlike previous ones with the FARC, was not about talking about peace in general, but about ending the armed conflict.

And by that, we meant three things-- first, that the agenda had to include a point on disarmament, which the FARC had never accepted, and which, in fact, led to the temporary breakdown of the secret talks. Without written assurances that this time, the end of the conflict was real, we were not willing to risk another peace process. Second, the end of the conflict meant as well that we intended to put a definitive end to the historic cycles of political violence in Colombia and wanted to avoid its occurrence or degeneration into other forms of violence as had happened so often in the past. So we had to do more than simply disarm the FARC, we had to address the factors that had fed the conflict over so many decades. That is why we agreed to talk about rural development and the need to give Colombians in the countryside a second chance, or to talk about political participation, or to talk about drugs, or to talk about, especially, victims. And that is why we did not agree to talk about issues such as free trade agreements or the management of the economy in general, as the FARC wished. So the narrative defined the agenda.

We thought that the agenda contained issues that were the enabling conditions of the conflict, while the FARC thought that they were the root causes and the reasons for which they fought. We could each live with our own interpretation so long as we were talking about the same things and only those things, which is what the narrative of the framework agreement achieved. Most importantly, perhaps, that narrative of the end of the conflict recognized the enormous window of opportunity for a structural change that a peace agreement could bring to Colombia, the possibility of launching a proper transition during which a few, but very important structural transformations could be undertaken.



THE PEARSON INSTITUTE

FOR THE STUDY AND RESOLUTION OF GLOBAL CONFLICTS

Our critics sometimes asked why these reforms have to be the product of an agreement with the FARC, when they are, they claim, what any government should do, to which I always replied, if it's all so obvious, why haven't we done it before. There is clearly a problem with the incentives of the political economy of Colombia that has left large swaths of the country outside of the radar of the politicians and in general, of the economy. And only a peace agreement can begin to address that fundamental problem of governance.

Lastly, the narrative of the end of the conflict also allows us to distinguish between the negotiations that were taking place in Havana to put an end to the violence and the subsequent peace-building phase that requires the participation of all citizens. That conceptual difference, which we wrote from the start into the framework agreement, made the process much more acceptable to the communities on the ground. It was they who would be the peace builders.

The fifth step was to put together a strong methodology. Unusually, the negotiations in Havana had no mediation. There was no UN diplomat writing perfect UN language into the agreement. We fought over every word and together, wrote a rather monstrous 300 pages of an agreement that only was possible because we relied on a strong methodology, whether it was working on a single text, or the idea of the framework agreement itself, or setting up a small drafting commission to do the hard work of concocting the texts.

The formal procedures of the negotiation were also important. The fact that we worked for three straight days, stopped for one, and then start it again, regardless of what day of the week it was gave a strange sense of structure to the negotiation, as did, by contrast to all that formality, the informal meetings we set up between the heads of the delegations known as the Three Plus Three, where we tried out ideas and got a better sense overall of what was going on.

But perhaps most important was the incremental manner in which the negotiations proceeded. The whole thing took very long. We were in Havana for 4 1/2 years, at least some of us were. And we paid a huge political cost. But I wonder if it could have been otherwise. There was hardly a day when we did not work very hard. And I wonder especially if this incremental approach was not the key to build trust, both in Havana and in Colombia.

Every time we reached an agreement on a point of the agenda, we made it public. By June 2014, for example, we had already reached three. It was difficult to imagine either side really giving up by then. It had been too much hard work, and there was more to come. That is in my view what trust in a peace process is about. You trust the process itself. The more you achieve, the more irreversible it seems and actually is.



THE PEARSON INSTITUTE

FOR THE STUDY AND RESOLUTION OF GLOBAL CONFLICTS

The sixth step was to put together negotiating teams that each side and the public recognized as credible. When the public face of the negotiations started, President Santos brought in Humberto de la Calle, a former vice-president, a statesman, and a great leader, brought in the most respected former commander of the armed forces, General Jorje Enrique Mora, and the most respected former director of the police, General Oscar Naranjo. The four of us were in Havana till the very end. Others came and went, various members of the business community, and towards the end, the foreign minister Holguin, and Senator Barreras. The FARC commander, Timochenko, for his part, made sure that more and more members of the FARC's secretariat-- it's kind of directorate-- were present in Havana.

A very important innovation was the fact that seven serving members of the military and the police participated in the negotiations. When the ceasefire discussions started, President Santos sent five serving generals and one admiral to Havana, who not only helped to hammer out the details of the ceasefire, but in effect, became a channel through which the negotiations flowed to all the armed services and helped to build trust.

I cannot fail to say a word as well about the young members of my own team, the Office of the High Commission for Peace, who, as often happens, did most of the hard work of putting together the proposals still late at night every day.

The seventh step was to put the victims of the conflict at the center of the process. The Colombian conflict has been, by far, the most violent in Latin America and the one that has left the greatest number of victims. That is what the conflict represents to most Colombians and what has kept it going as much as anything, the fact of victimhood. If you speak to a young member of the FARC or his equivalent in the former paramilitary militias, more often than not, you will find that they joined because they had been a victim of one group or the other. So if you want to break the cycle of violence and do justice to so many who were wronged, you need to bring the victims to the fore.

We insisted from the first day that there had to be a point on victims on the agenda. That is probably the major innovation of the Colombian peace process. It had never happened before. But no point was more difficult to negotiate in Havana. It took us a year-and-a-half. We faced at least three major challenges.

First, we needed to make sure that there was adequate participation in the process of the victims themselves. That meant not just expanding the large forums we organized in Colombia with the help of the UN and of the Universidad Nacional to collect proposals for each point of the agenda, from one conference, one forum, to four, but actually inviting 60 victims to speak before both sides in Havana. The moving testimonies we heard were not unlike a truth commission, the difference being that



THE PEARSON INSTITUTE

FOR THE STUDY AND RESOLUTION OF GLOBAL CONFLICTS

before them sat not commissioners, but members of negotiating teams, some of whom were confronting their own victims for the first time.

The second challenge was the squaring of the circle-- that is, bringing 21st century standards of accountability into a peace negotiation. In my view, the ever enlarging transitional justice industry has not squarely and honestly faced the fact of the tension between peace and justice in a peace negotiation. The people sitting across the table with whom you are negotiating are also those who, according to contemporary theories of criminal responsibility, are most responsible for the crimes committed. So how do you get around that?

First, we agreed to set up what we called a comprehensive system of truth, justice, and reparations that guarantees the broadest possible response to victims' rights through a combination of judicial and extrajudicial mechanisms. That is standard transitional justice doctrine, and it helps. You fight impunity by guaranteeing victims' rights. Second, we agreed to set up a tribunal that would privilege truth-telling and alternative sentences. If you tell the whole truth about the crimes committed, you serve an alternative sentence. Basically, you have to contribute to various forms of reparations in a geographically limited space-- there is not a prison-- under UN monitoring over a period of eight years. If you don't, you can find yourself sentenced to 20 years in prison.

This has caused considerable controversy in Colombia and has been much exploited by the political opposition. But I ask, in what peace process did a guerrilla agree that international crimes, war crimes, crimes against humanity, cannot be amnestied, that they had to be accountable before a tribunal for those crimes, that they had to serve sentences and repair victims with their own assets? That has never happened before, ever. So somebody might actually ask, why would a guerrilla force agree to that? And the answer is because not just the FARC, but all those who were directly or indirectly responsible for grave crimes committed during the conflict are accountable before the tribunal, which is a third challenge we faced. Not everyone is happy about that.

The eighth step was offering FARC enough guarantees and assurances so that they can move forward. These include among others a tripartite verification mechanism headed by the UN, with a Security Council mandate that neither the government or the FARC had ever accepted before, the establishment of a fast track mechanism in Congress to pass the legislation needed for implementation, to give the FARC legal security, a number of measures to guarantee the FARC's security, which include both training of their own men in personal security, as well as the strengthening of the judiciary's investigative capacities into organizations that may present a threat to the FARC and to peace in general, and a new community-based model of reintegration in rural areas.



THE PEARSON INSTITUTE

FOR THE STUDY AND RESOLUTION OF GLOBAL CONFLICTS

The ninth step was to create a model of implementation based on citizen's participation. This is a large topic about which I can only say a few words. In the end, the only guarantee of a long and lasting peace is the strengthening of institutions on the ground so that conflicts can be dealt with without violence and citizens' rights can be addressed. But how do you do that? Institutions don't fall from the sky. And the Colombian state has regularly failed in its efforts to integrate the vast peripheral regions where the conflict has raged and the coca economy has dominated people's lives.

The point is that we cannot keep on doing more of the same. We have to give up the idea that the state spreads like an inkblot of efficient bureaucrats from the center out over the land, and recognize, first, that many peace-building efforts have been underway for decades in peripheral regions, and second, that participation is the key to institutional strengthening. Why? Because it is only when people have a voice in their own affairs and see that their proposals are taken seriously and met with a response that they begin to break their historic lack of trust in the Colombian state. And the more demands they make and the more institutions respond, the more you actually build something that resembles credible and efficient government.

That is what I have called territorial peace. We want to get a virtuous circle going through large participatory planning processes in rural development programs that will be implemented in the hardest hit regions and break the cycle of violence. It is a massive challenge. It requires considerable material and human resources, and especially, a change in the mindset of our own bureaucrats. But it is also the great opportunity that is afforded us by peace, to rethink the relation between the state and society in those regions.

The 10th and final step was to put the agreement to a vote. On 2nd of October of last year, Colombians voted a plebiscite on the agreement. And by a margin of 0.4%, 60,000 votes out of 13 1/2 million, they voted no. Why did we do that, you may ask.

[LAUGHTER]

There was an inherent tension. Ending a war does not seem to require a vote. But there were other parts of the agreement, such as rule reform, that we thought required democratic legitimacy. And we also thought that we could make up the deficit in citizens' participation in Havana, in the talks, by having every Colombian decide for himself.

That was a serious miscalculation. Instead of uniting the country behind peace, the plebiscite divided us into two camps and fed the political polarization we are living in today. I will not touch on the campaign itself, except to say that it had striking parallels to Brexit, but with one big difference. The no campaigners in Colombia always insisted that they were not against peace, not even against all of the agreement. They simply



THE PEARSON INSTITUTE

FOR THE STUDY AND RESOLUTION OF GLOBAL CONFLICTS

wanted changes made. That is what former President Uribe, who led the campaign, said then and is still saying now. So we flew back to Havana with Humberto de la Calle and told the FARC, dear friends, we need to acknowledge publicly that we lost, and that we need to change the agreement, which the FARC agreed to in a remarkable show of maturity.

We then flew back to Colombia to hear out the no side. After a full week of discussions, day and night, at the Interior Ministry, we had a document with 60 items they wanted to change. And after a further two weeks of tough negotiations with the FARC in Havana, we managed to change 57 of those 60 items. The new agreement was signed on 24th November and ratified by Congress a few days later.

It is a tragedy for Colombia that we did not manage to reach a political agreement with the no side. But it is perhaps not surprising. The items we could not change were those that constituted structural pillars of the agreement or of any agreement with a guerrilla force for that matter, the possibility of political participation and the refusal to serve sentences in prison-like conditions, at least as a first option, which is a reflection of our fundamental conceptual and practical difference with no side-- their refusal to acknowledge that there is an armed conflict in Colombia. Under those conditions, no solution is possible.

We were also the victims of time. It is difficult enough to solve an internal conflict in a democracy, where peace tends to be part of politics. But when the peace process coincides with the electoral season, as it has now, all doors close. In Colombia, the pursuit of power tends to trump the pursuit of peace. And I think the dust will not settle until the next presidential elections of 2018.

In the meantime, the FARC has moved its combatants into 28 containment zones and has begun the process of disarmament under UN supervision. Two months ago, Colombians saw striking images of the FARC's men and women sailing down rivers in wooden ships or marching down small country roads on the way to the zones. It was the end of the war. And the campesinos cheered and blew whistles along the way. They could now live free of fear.

So what's next? Clearly, the political climate is not favorable, but peace is taking root. The wards of the military hospitals are empty. The guerrillas are reuniting with their own families. And Colombians are slowly waking up to the fact that they can now travel without fear.

A peace process is a living organism. You have to tend to it every day. But I am convinced that once Colombians experience long enough the reality of peace on the ground, they will never want to turn back. Thank you very much.



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[APPLAUSE]

JAMES ROBINSON: So if somebody would like to ask the high commissioner a question, the microphone is yours.

AUDIENCE: So I really don't want this to be understood as a criticism, because it's not. But I'm just really curious about the reasoning behind it. How do you and how does the Colombian government justify asking something to the people, having the people reject that, and then doing some changes to that text, and implement that without testing and overtime to the people? I mean, from a democratic point of view, how do you end up implementing something that has been rejected by people? I know there were some changes made. But I think there's lacking this second round of asking.

SERGIO JARAMILLO CARO: Well, it's obviously a tough question. But the point is, what was the referendum on the plebiscite about? So you're asking the people question, and some people decide to campaign against it. And they say they're campaigning against it not because they don't want peace-- everyone wants peace-- but because they disagree with some of the terms of the agreement. So when you lose, what do you do? You say, OK, you won. So I'll sit down with you and hear you out and understand what those issues are. And I'll go back and change those things.

Now, you could say, well, the logical step would have been to have had perhaps yet another referendum. Perhaps. Perhaps. But I think that the problem we have is the one I mentioned at the end, that the pull of the next elections is too strong. So the idea that you could have a referendum that is just about those issues is totally unrealistic. It's all now colored by electoral politics. And so we'll see what happens.

And the other thing I would say is that the constitutional court produced a judgment on how the government had acted and what would, in Spanish, a referendacion, which means there's a popular support for the agreement means, and concluded that this is something that is actually a process that you do over time and that has many different elements. And I think that is true, because, as I tried to point out, one of the particularities of this agreement is that it is full of mechanisms of participation. So in the end, we always said, in Havana, we are agreeing to the what, but the how, how, things should be done, is something that people need to decide amongst themselves on the ground. And they will have ample opportunity to discuss and reject those things they don't agree with and implement those that they do.

Yeah, Yeah, there are many that would say it was good thing that the plebiscite was lost, because it provided a mechanism so that people who were most opposed to the process somehow became more invested in the thing, because now they could complain. You could negotiate. So they were a little bit more interested in it than they were perhaps before. So in the long run, who know?



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AUDIENCE: Thank you for joining us. My question is, what are some of the greatest challenges Colombia faces now in terms of implementation of the peace deal? And how do you foresee the country overcoming those obstacles?

SERGIO JARAMILLO CARA: I'll begin with a small anecdote, which some of you may know. There was a famous US civil servant, a guy called Bob Coomer, who tried to implement a strategy in Vietnam in the late '60s of support to civilian problems of various kinds and then left in despair and wrote a book called *Institutions Do Their Thing*, meaning that the American government and institutions simply could not work at the speed that was necessary to achieve results in a situation of real transition. And that is what we are facing now to a large extent. We are not being nearly fast enough in the response we need to give on the ground, because people expect changes. And there are strategies. And there are rapid response strategies and so forth. But I think we are being quite slow, number one.

Number two, we are facing a huge challenge with this issue of the coca fields and security in general. Because what the peace agreement does with the FARC is that it literally opens a window of opportunity, but it obviously does not solve all the problems in the country or address all the sources of criminal violence. So if you want to use that window, you have to act quickly. And there are powerful forces that are not interested in this working-- obviously, everyone that's involved in the coca colony, but others.

And because it's become such a political issue, then there's a fair amount of fear in society today, which, in my view, is totally unsupported by the agreement, but politically has been useful to promote. And that makes things difficult.

And the third thing I would mention is the reintegration of the FARC into civilian life, because we agreed to a new and quite ambitious model of reintegration. And up until now, most former combatants in Colombia, they end up living in cities of some kind where it's easy to provide public services and provide them some education. But the FARC were not interested in that. I think rightly so. They said, no, why are we going to bring these people who campesinos from the countryside into the cities? And they also want to have a more associative or a collective model, set up cooperatives, build roadworks, things like that.

And we actually think that's quite a good idea. I call it the strategy of complementarity. Because we are implementing an ambitious peace agreement, that implementation will open opportunities for reintegration. But at the same time, you can also say that the FARC members, especially commanders, can play a role in implementation. And that is very important because it gives them a future. It gives them dignity. Now, you can actually play-- you can be a peace-builder. That had never happened before.



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But for that to work, you need to get your programs going quickly. And that is my main worry.

AUDIENCE: Thank you for joining us today. I'm wondering if you could speak more to the role that the United States has played, not only in the peace process, but also in Plan Colombia and all of its engagement with Colombia since the Clinton administration. Has that been broadly helpful? Has it set the peace process back? And what role could the United States play in the future?

SERGIO JARAMILLO CARA: Well, I'm not an expert on US foreign policy. But I have difficulty imagining, honestly, that there's a comparable example to Colombia in terms of US foreign policy for a number of reasons-- number one, because there has been this well-known bipartisan support up till now. It's a little bit under threat because Colombian internal politics is landing in Washington and wrecking havoc. But we've had this bipartisan support for a long time.

Number two, to use a military expression, it has been truly a light footprint. It has been supporting us and not undertaking anything from the US side, especially on security matters. And people tend to, on the one hand, over-rate Plan Colombia in terms of how many resources were given to us. Compared to the national budget, what we did was not very much. In fact, in terms of drugs, we subsidize the us because we paid for our major naval operations the whole time to intercept cocaine coming up to the US and so forth. But in those niche spots where we had particular US support, it was extremely important and effective.

So there was the Clinton administration. There was the Bush administration. There wasn't much of a change. In fact, there was more support. And with the Obama administration-- well, first of all, it was hugely supportive, but in a very careful way. Unlike what people in Latin America think, that the US would intervene-- and we never had anybody from the US government telling us this or that or you must do this, or we're worried about that. They trusted us, if I may say so. And as I just said, it was only when we thought, ah, by this stage, it would be good to have somebody from the US around because a number of issues, you couldn't do what you like. The FARC are not going to believe you.

And Secretary Kerry, who was incredibly supportive, responded very quickly and sent Bernie Aronson, who's a great guy, who was, for those of you who don't know, had been assistant secretary of the Western hemisphere just at the turn of the Bush-Clinton administrations, and had to deal with the end of this [INAUDIBLE] conflict, and was in a happy retirement in a sheep farm in Wales, from which we pulled him out. I don't know if it was a happy retirement actually.

[LAUGHTER]



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But we pulled him out. And he was incredibly patient and went there and spent lots of time.

And I frankly see no reason why that should not continue because it's truly a win-win. I mean, as I was saying, that's actually exactly what you want. You've supported this country that had-- there's controversy in Colombia as to how bad the situation was in the year 2000. And people get upset when we're called a semi-failed state. I think that's probably true. We're not a failed state, but we were failing, as this man would say, in parts of the country that were totally out of government control. So moving from that to a peace process with the guerrillas and ending an armed conflict really is the best possible result for everyone.

My worry is that there's so many active efforts out of Colombia to influence US policy, and the US Congress in particular, against the peace process. And that is a problem. You are being contaminated by our own internal politics.

AUDIENCE: You spoke about citizens' participation in rural community development as being a key part of the process. To what extent did the development over the last 30 years of locally elected governments, local governments, within the Colombian constitutional system support this? And to what extent were they involved? Or to what extent was your agreement about extending and strengthening such institutions? Or were you talking about a totally different kind of local community involvement?

SERGIO JARAMILLO CARA: Yes. That's a good question, because we had a very old constitution from 1886. And in 1991, we changed it for a modern constitution based on a bill of rights and with a constitutional court and so forth. And that constitution, the '91 constitution, has a very strong element of participation. But the reality of that participation, citizens' participation, was not just disappointing, but people feel that even there are quite a lot of structures, and spaces, and councils, that participation actually does not achieve much.

This was actually a very interesting discussion with the FARC, because the FARC did have in mind a kind of-- well, I don't want to name any countries, but let's say the kind of things you've seen in Latin America recently. And we were interested in participation, both as a way of reinvigorating representative democracy, but also for the reasons I was explaining, and also because if you spend enough time in the regions in Colombia, you notice that nobody is willing to have somebody just come around and tell them what to do. In many places, there are really quite impressive processes of various forms of peace-building programs that have been in place for a long time. People are rightly proud of that.



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But especially, and this is what is actually very interesting, and I haven't had a chance to talk to Jim about this-- because we got going thanks to an invitation to Harvard three years ago that I started talking about this issue of territorial peace. That kind of clicked. And a lot of people liked that idea. So we did two little conferences in Bogota with experts to try and put some more meat into that concept. And I'm finding that the main problem at the moment is actually my own government because-- it's not the political opposition. I mean, they don't like participation.

But that's not the problem. The problem is that technocrats want to keep on doing things the same way, and they say, well, we were assigned a huge amount of money. We were assigned \$500 million to a road-building program in the countryside. Why do you want to mess it up with having people intervene here? I said, well, because the point of the whole thing is not just simply to build the road, but to get people to decide where they want a road to be built or they see they are actually being taken seriously. That's what makes a difference. That's why we bring them in. So those are the kinds of discussions we're having just now. We'll see what happens.

AUDIENCE: First of all, I want to thank you for being here. I want to say that I have been personally very against this process. But I want to thank you for all your effort, what you have done. My question is, I suppose a process, a peace process, is like putting a line between impunity and peace. So I would like to ask if you think that this process, or any process, how many impunities or lies are inside it? And I just want to be very, very brief and respectful, of course.

For example, I heard the president many times saying are FARC drug dealers, and he said no. He said, are FARC kidnap? And he said no. And that with hundreds and hundreds and hundreds of things. We have FARC committing such crimes, raping, horrible things. Now, they can be in the Congress. So maybe that's the price of peace. OK? It makes sense. But also the way they sell it, like this is a stable peace forever, when about half of the FARC-- I don't know if half, because nobody has official numbers. But at least a chunk of the FARC is still around, kidnapping. Or none of them are demobilizing.

So again, first, thank you for all the effort and for for this process that I think changed completely Colombian history. But how much do we citizens need to swallow of impunity and lies from both positions, because also, those in the other position exaggerate a lot? So thank you.

SERGIO JARAMILLO CARA: For those of you who don't know, part of the problem in my view is that we had the previous experience of a peace process which wasn't really a peace process. It was the demoralization of the paramilitary militias, in 2004, '05, and '06, which wasn't really a negotiation. It was an agreement to demobilize. There was no public agreement. There were no other issues that were brought in. In fact, one of the



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reasons why we agreed to do the things we did was thinking about the failure of paramilitary reintegration and the fact that in the areas where the paramilitaries used to be, we very quickly go other armed groups to do their own thing.

I mention that because I do think that at bottom, there is this very big conceptual difference. And that is, many people, and not just the political opposition-- it's in the right-- don't accept the idea that a negotiation is necessarily a horizontal affair. You are negotiating with the other guy. If he doesn't want to negotiate with you, then the war goes on. He's not giving himself up so you can actually stick him in a prison. Much less so, can you close the door to political participation because political participation is the *raison d'être* of the whole peace process from his point of view. He is not jumping off an abyss. He is transforming himself into something else. It's only that narrative that allows him to move forward. So if you say, as the political opposition says, there should be no political participation, then the peace process is not possible.

Now, that said, it is true that lots of Colombians-- and they have full right to-- take offense at the idea of the FARC participating in politics when they committed so many crimes. But if you leave out the participation, then you have no peace process. That's exactly what I told former president Uribe when we were in discussions with the [INAUDIBLE].

Now, I think there are ways of doing this so that, at the same time, there is accountability. And I actually think that what we agreed to in terms of justice is almost too ambitious, difficult to implement, but that if it's done, it will be a first. I don't know any peace process where a guerrilla said, OK, yes, I will go before a tribunal and tell the full truth about all the crimes I committed. And I will serve a sentence. And I will use my own assets and repair victims. And that's what the FARC has agreed to.

It depends. It's an issue of standard. If you take the standard of ordinary justice in a vertical relationship of a state that captures a criminal, then it's obviously totally insufficient. But if you take the standard of negotiation, and you understand that the aims of justice are different-- it is not just about that guy, it's about the victims-- then I think what we agreed to is almost too ambitious and difficult to implement.

AUDIENCE: Thank you for the very insightful talk. I'm wondering about two things. Firstly, what does the peace deal mean for the forced displacement?

SERGIO JARAMILLO CARA: What does the peace deal mean for—



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AUDIENCE: Mean for the forcefully displaced in Colombia due to conflict. I find [INAUDIBLE], their talks, basically the peace deal says that the displaced will be returned. They will return their properties, or they'll be given farm land, so on and so forth. But what if they wanted to remain in the big cities? Does the peace deal imply an end to forced displacement?

And secondly, I was wondering-- so I'm from Pakistan. And every day we hear about Kashmir dispute and human rights violations, so on, so forth. So you were talking about your 10 steps to a peace deal as well. I was just wondering what those 10 steps will be for the Kashmir dispute?

SERGIO JARAMILLO CARA: For?

AUDIENCE: The Kashmir dispute?

SERGIO JARAMILLO CARA: Oh, yes.

[CHUCKLES]

AUDIENCE: But then-- but the thing was, I was actually thinking about the first step in recognizing the opportunity for a peace and this whole literature on the right moment and timing of negotiation, so on, so forth. But what I'm actually wondering is how do you identify this, quote-unquote, right moment, the timing of negotiations, so on, so forth.

SERGIO JARAMILLO CARA: Yes.

AUDIENCE: Thank you.

SERGIO JARAMILLO CARA: Thank you. Well, those are two very good questions.

First, a word on the issue of the internally displaced-- Colombia has got the number-- it changes. We're always in the top three. I think at the moment we're in two, number two in the world in terms of the number of internally displaced. Formerly, we registered about seven million. There's a big discussion about why that is the case and how it has happened. But I do think that it is a particularly insidious form of violence because in the end, people don't tend to pay too much attention to it. And they just see these shantytowns growing in cities over time. But those people have had their lives destroyed. And some find a new livelihood in the cities, but others just live miserable lives in those areas.



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So what we agreed to is that for those who want to-- because you don't have to-- for those who want to, there would be something that has already happened in Colombia in the past, but at a small scale, what are called-- in Spanish, literally, they're called-- let's call them accompanied return efforts, so that in an organized manner, families that are displaced from a certain region are supported in how they go back and having access to land and the minimal infrastructure you need to re-establish your life.

The government, President Santos has had a very ambitious policy of restituting land that was taken away. It's a very difficult thing to do because, obviously, we know since [INAUDIBLE] that a civil war is an occasion to just grab everything you can. But this has been happening now for five years quite successfully under very difficult conditions, I think. And now, with the peace process, we have a big opportunity to do this on a much larger scale.

On the second point, what I was trying to say, which I clearly did not say clearly, was that you can have a discussion about right moment and so forth, and certainly, you can imagine situations where no matter what you do, you will never have a right moment. Let's say, Vietnam. If you look at Vietnam, and even if you know a little bit, you would come to the conclusion that there was no way there was any possible negotiation except to get the Americans to get out. But my point was that I wasn't so interested in talking about what creates a right moment. I was interested in how the process itself, if you structure it in the right way, can create opportunities that were not there before and transform people.

I mean, if you see these FARC commanders today, they really are people who have been transformed. That's my-- well, not my feeling. That's what I see when I talk to them. And so you become convinced that only in the most extreme cases is it not worthwhile to try to set up some structure that facilitates dialogue and that gets something going. It may take some time. But you actually see the transformative possibilities of dialogue and peace.

JAMES ROBINSON: That's a good place to end. Thank you very much.

[APPLAUSE]

SERGIO JARAMILLO CARA: Thank you.