

# **At the Precipice: Accelerating the Political and Socio-economic Reintegration of Colombia's FARC**



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**Table of Contents**

Introduction.....1

Identifying the FARC.....2

Role of Intergovernmental Organizations.....3

Key Issues and Activities for Political Reintegration.....4

Key Issues and Activities for Socio-economic Reintegration.....13

Electoral Security and Traditional Justice.....17

Conclusion and Key Recommendations.....20

Annexes.....22

## INTRODUCTION

For more than 50 years, the Colombian government has fought a Marxist guerrilla insurgency, known as the Revolutionary Armed Forces of Colombia (FARC), that killed more than 220,000 people. Founded in the 1964, the FARC has consisted of militant communists, disenfranchised peasant groups, and youth mostly from Colombia's rural areas. The FARC claimed to be fighting for the rights of the poor in Colombia, with a primary demand being the redistribution of land to the rural poor and the removal of multinational companies. They used violence, kidnappings, extortion, and drug trafficking as their resources of leverage and income. The FARC recruited their members mainly from poor, rural, indigenous, and afro-Colombian communities and universities.<sup>1</sup> The lack of agrarian reforms and victimization of poor farmers by the government drove local grievances that the FARC were able to successfully leverage in its recruitment of rural populations. The FARC became most rooted in isolated rural communities that have limited presence of the state. The conflict between the FARC and the Colombian government cost at least 50,000 lives and created one of the world's largest populations of internally displaced people.<sup>2</sup>

President Juan Manuel Santos, who was elected in 2010, began formal peace talks with the FARC in 2012.<sup>3</sup> The negotiation of a peace agreement concentrated on the five principles, including: future political participation of FARC members, rebels' reintegration into civilian life, illegal crop eradication, transitional justice and reparations, rebel disarmament and implementation of the peace deal. On November 12, 2016, the Colombian government signed a peace agreement with the FARC. Since that time, the Government of Colombia has initiated measures to prepare the FARC to be integrated into the political system and back into civilian life. The successful reintegration of FARC ex-combatants has become the decisive factor in ensuring the success of the peace deal and undermining the idea that violence is an appropriate alternative to remedying local and national grievances. Experts have noted that "the integration of the FARC into the democratic sphere will be the biggest test to the peace process."<sup>4</sup>

Colombia's 2018 elections will be the first election in which the FARC participate and will be key to successfully integrating the FARC into the political realm. The national congressional elections will occur in March 2018, and presidential elections will occur in May 2018. The election will be a key benchmark in the reintegration process designed by the peace accords. Despite the elections being less than six months away, key political and economic reintegration steps have yet to be undertaken and threaten to derail the peace process. The lethargic pace of the political and economic reintegration process has led approximately 45 percent of former combatants to leave the demobilization camps, while some have defected to other armed

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<sup>1</sup> Chris Kraul. "The battle began in 1964: Here's a look at Colombia's war with the FARC rebels." LA Times. August 30, 2016. Retrieved from <http://www.latimes.com/world/mexico-americas/la-fg-colombia-farc-explainer-snap-story.html>

<sup>2</sup> "Colombia: Conflict Profile." Peace Insight. Retrieved from <https://www.peaceinsight.org/conflicts/colombia/>

<sup>3</sup> Claire Felter and Danielle Renwick. "Colombia's Civil Conflict." January 11, 2017. Retrieved from <https://www.cfr.org/backgrounder/colombias-civil-conflict>

<sup>4</sup> Emily Wright. "Inside FARC's Postwar Jungle Camp Finishing School." The Foreign Policy. September 30, 2016. Retrieved from <http://foreignpolicy.com/2016/09/30/inside-farcs-postwar-jungle-camp-finishing-school-colombia/>

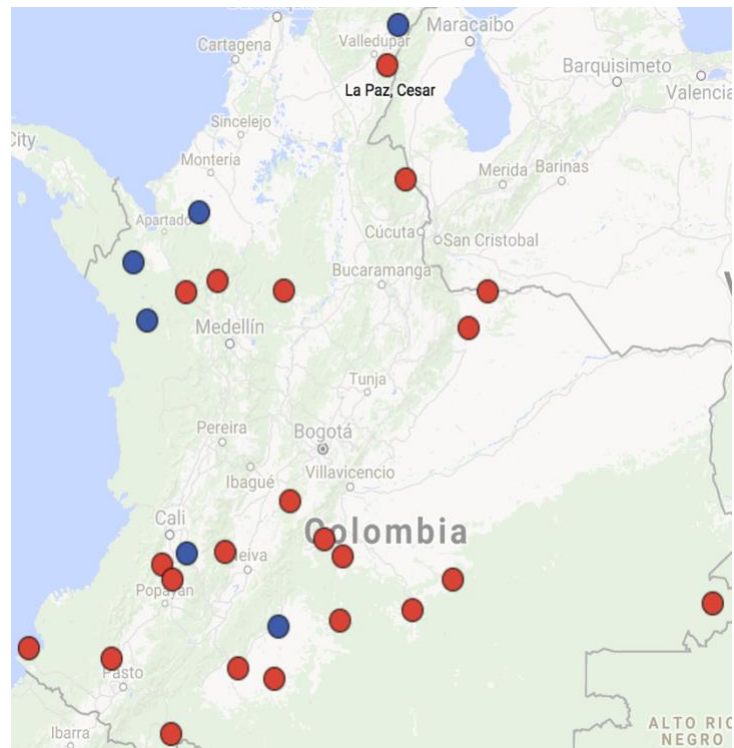
networks, like the ELN or narco-gangs.<sup>5</sup> Based on an exhaustive review of the secondary literature and publicly available information in English, this paper offer steps the government and FARC must take to ensure the full political and economic reintegration of the FARC before the 2018 elections. The reintegration of the FARC is expected to be a long and arduous process, costing upwards of \$40 billion over the next ten years. It is essential that the Colombian government act swiftly to uphold its end of the bargain and provide the resources and political stability necessary to fully implement the deal.

## IDENTIFYING THE FARC

The peace agreement required the FARC to demobilize and disarm its approximately 7,000 ex-combatants by August 2017. Once the FARC were disarmed in September 2017, the political and economic reintegration phase took hold. This involves the integration of the FARC into the political system through the creation of a political party and their participation in elections and the legislature. It also involves the economic reintegration of the FARC through job training and financial support. The economic reintegration of the FARC is slated to last for one calendar year, ending in fall 2018. The political reintegration process is expected to last two electoral cycles, through 2022.

The FARC held territory and exerted influence in rural areas scattered throughout Colombia's jungle and mountainous terrain. By the time of the peace accords, the FARC had about 7,000 combatants who had led a Marxist insurgency against the government. Women make up around a third of the FARC ex-combatants. Between 2014 and 2016, female FARC combatants travelled to Havana to participate in a gender subcommittees created to ensure that the peace accords would represent women's perspectives and needs.<sup>6</sup> Despite seeming gender parity in the FARC combatant organization, women never reached high ranking positions. Though some combatants joined the organization due to ideology, most joined due to lack of local economic opportunity. Many excombatants are illiterate and have no formal education.

As part of the demobilization and disarmament process, the FARC ex-



<sup>5</sup> Stephen Gill. "Only 45% of disarmed FARC members left in reintegration camps: UN." Colombia Reports. November 21, 2017. Retrieved from <https://colombiareports.com/today-45-ex-farc-members-reincorporation-spaces-un/>

<sup>6</sup> Camille Boutron. "Women at War: Colombia's female FARC rebels have disarmed, but will keep fighting for the feminist cause." Newsweek. May 7, 2015. Retrieved from <http://www.newsweek.com/colombia-farc-women-rebels-insurgent-feminism-632102>

combatants are being housed in 27 “demobilization camps” throughout former FARC rural strongholds (see Figure 1 above).<sup>7</sup> These camps also coincide with reincorporation zones that are the target of reconstruction investment and agrarian reform mandated by the peace process. The rural nature of these areas limits the economic opportunities available to the FARC, and could also limit the FARC’s ability to politically organize. As such, these zones are meant to assist in the creation of a community, as well as assist FARC party leadership stay in touch with rank and file excombatants. This will preserve the FARC’s command and control, and social networks to facilitate political organization. This is important to build FARC party cohesion and identity, which will ultimately be key contributors to the viability of the FARC as a representative, political party. These zones are also where many reintegration activities are conducted by the national reintegration agency, Agencia para la Reincorporacion y la Normalization (ARN), making services and benefits offered by the peace process most accessible in these areas.

Although the government has fulfilled some of its obligations under the peace agreement, it has lagged on implementing political and economic reintegration requirements mandated by the peace agreement. As a result, nearly 45 percent of combatants have left demobilization camps.<sup>8</sup> There has already been dissidence among six FARC “fronts” or units in coca-growing regions.<sup>9</sup> and some fighters have renounced the peace deal and joined another insurgency known as the ELN.<sup>10</sup> In November 2017, the UN Under-Secretary-General for Political Affairs, Jeffrey Feltman, said “Colombian authorities were failing to effectively reintegrate former FARC combatants, guarantee the former guerrillas’ political participation and secure state presence in former rebel territories.”<sup>11</sup> If the past is a prologue, estimates from Colombia’s previous armed group demobilizations portend a 15 percent to 20 percent recidivism rate over five years. These developments could undermine the efficacy of the political and economic reintegration process, and empower defectors to become spoilers to the electoral process.

## **ROLE OF INTERGOVERNMENTAL ORGANIZATIONS**

### *United Nations*

After the UN Verification Mission in Colombia successfully monitored and verified the disarmament of the FARC, the mission’s mandate was renewed and adapted to assist and verify the political and socio-economic reintegration of the FARC. The duties of the UN Verification Mission in Colombia are to verify:<sup>12</sup>

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<sup>7</sup> See Fig. 1: [https://www.google.com/maps/d/u/0/viewer?mid=1GiNKPd5c2Fm6HxFu9S-zChV-Phk&hl=en\\_US&ll=5.725311445365372%2C-73.30009459999997&z=6](https://www.google.com/maps/d/u/0/viewer?mid=1GiNKPd5c2Fm6HxFu9S-zChV-Phk&hl=en_US&ll=5.725311445365372%2C-73.30009459999997&z=6)

<sup>8</sup> Stephen Gill. Op.Cit.,

<sup>9</sup> Sofia Persio. “Army Blames Rebel FARC Militants for Deadly Blast that Shook Colombia’s Fragile Peace Process.” Newsweek. October 4, 2017. Retrieved from <http://www.newsweek.com/renegade-farc-militants-kill-soldier-colombia-day-commemorating-victims-581711>

<sup>10</sup> Adriaan Alsema. “How Colombia’s one-year peace process has changed the country. Colombia Reports.” Colombia Reports. November 22, 2017. Retrieved from <https://colombiareports.com/colombias-one-year-peace-process-changed-country/>

<sup>11</sup> Adriaan Alsema. “UN Criticism Over FARC Peace Process ‘unjust’: Colombia.” Colombia Reports. November 26, 2017. Retrieved from <https://colombiareports.com/un-criticism-farc-peace-process-unjust-colombia/>

<sup>12</sup> UN Verification Mission in Colombia. FAQ’S. UN Mission. Retrieved from <https://colombia.unmissions.org/en/faqs>

- “Political reincorporation
- Guarantees for the new party or political movement that arises from the transit of the FARC to legal political activity.
- Economic and social reincorporation.
- Protection measures, personal and collective security guarantees
- An integral security system for the exercise of politics, especially for members of the FARC and their families.
- Comprehensive programs on security and protection measures for communities and organizations in the territories.”

The Security Council established the second United Nations Verification Mission in Colombia for an initial period of 12 months beginning 26 September 2017, immediately following its verification of the FARC's disarmament. The peace agreement mandates the Mission to continue for at least three years. The commission seeks to “assist the reintegration of FARC members into political, economic and social life and the implementation of personal and collective security and protection measures, and comprehensive security and protection programs for the communities and organizations in the territories.”<sup>13</sup> The UN Verification Mission also manages three rural demobilization zones for 400 ex-combatants. It interfaces with the Commission for Follow-up, Promotion and Verification of Implementation of the Final Agreement, the National Reintegration Council and the National Commission on Security Guarantees. The mission reports on progress to the UN Security Council every 90 days.

#### *Organization of American States (OAS)*

The Organization of American States has had a permanent monitoring and accompaniment mission, Mision de Apoyo al Proceso de Paz en Colombia (MAPP), to monitor peace processes in Colombia since 2004 “in the areas most affected by the armed conflict and the criminality in Colombia.”<sup>14</sup> With respect to the reintegration of FARC ex-combatants, the OAS MAPP mission will verify the Agencia para la Reincorporacion y la Normalization (ARN)'s work, including the accuracy of registration data of FARC ex-combatants in every reincorporation zones and those who have returned home. MAPP has established a strong working relationship with the government, which regularly implements MAPP recommendations for improvement. MAPP has a mission officers in each FARC reincorporation zone, who interviews communities and victims, trains them to promote their participation and supports the implementation of processes of resiliency.

### **KEY ISSUES AND ACTIVITIES FOR POLITICAL REINTEGRATION**

A key condition of the peace agreement is the transition of the FARC from an armed organization into a new legal political party or movement. The peace agreement guaranteed that the FARC would be legally eligible to register with and be recognized by the Colombian electoral management body (EMB) – now called the Colombian Electoral Council (CEC) – as a

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<sup>13</sup> “Report of the Secretary-General on the United Nations Verification Mission in Colombia (S/2017/745)”, United Nations Security Council, Reliefweb (August 30, 2017). Retrieved from <https://reliefweb.int/report/colombia/report-secretary-general-united-nations-verification-mission-colombia-s2017745>

<sup>14</sup> “OAS Mission to Support the Peace Process in Colombia: Values the FARC's Transition to Civil Life and the Negotiation Process with the ELN.” OAS. Reliefweb. November 8, 2017. Retrieved from <https://reliefweb.int/report/colombia/oas-mission-support-peace-process-colombia-values-FARC-s-transition-civil-life>

political party; eligible receive external technical assistance, operational funding and support; receive access to and public funding for participation in the 2018 and 2022 elections; access to the media; and special security guarantees for the movement and its leaders. The peace agreement mandated that the FARC receive 10 guaranteed seats in the Congress of the Republic of Colombia for two electoral cycles starting in 2018, and a temporary non-voting delegate on the Colombian Electoral Council. The party will elect its candidates to Congress through a primary election. The peace accords also called for local measures to institute local democracy and political participation. The government's delay in implementing these processes thus far threatens to undermine the peace accords.

### *Electoral Reform*

Colombia has an absolute majority, presidential system of government, with a nationally-elected, two-chamber Congress, and an executive branch headed by a president and a vice president.<sup>15</sup> The political system is a party-list proportional representation system, but with both closed and open lists – list type being at the discretion of the political party.<sup>16</sup> There is a 30 percent women's quota for party list membership for congressional elections. Colombia has historically weak political parties that are “controlled by regional political and economic elites (*caciques*),” and have failed to accommodate new social movements, resulting in one of the lowest turnout rates in Latin America.<sup>17</sup> Reforming the electoral system to be more democratic is a key dimension of the peace agreement to ensure FARC political participation. To determine the needed electoral reforms the government convened the “Special Electoral Mission”, a commission of experts solicited from the Carter Center, the Political Science Department of the University of Colombia, the Political Science Department of the University of the Andes, and the Dutch Institute for Multiparty Democracy whose mandate was to “study and give recommendations on the reforms of the current electoral system in Colombia.”<sup>18</sup>

The Special Electoral Commission compiled recommendations to improve inclusivity, representativeness, and limited external influence in electoral bodies and systems.<sup>19</sup> President Santo presented the Congress with a bill to implement the commission's reform. Reform measures included the modernization and digitization of the electoral process, lowering the membership threshold to legally establish a political party to 0.2 percent of the national electorate, criminalizing political parties affiliated with armed groups, changing the public funding structure of political parties and electoral campaigns, and “an eight-year transitional regime that will include funding new parties and movements that are created until March

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<sup>15</sup> “Political Database of the Americas. Republic of Colombia: Electoral System.” Georgetown University. Retrieved from <http://pdba.georgetown.edu/ElecSys/Colombia/colombia.html>

<sup>16</sup> “Reforming Colombia's electoral system?” Colombian Reflections. March 25, 2017. Retrieved from <https://colombianreflections.wordpress.com/2017/03/25/reforming-colombias-electoral-system/>

<sup>17</sup> *Ibid.*,

<sup>18</sup> “NIMD invited to select special electoral mission of Colombia.” NIMD. June 7, 2016. Retrieved from <https://nimd.org/nimd-invited-to-select-special-electoral-mission-of-colombia/>

<sup>19</sup> Colombian Reflections. Op. Cit.; See Special Election Commission's recommendations here: <http://static.iris.net.co/semana/upload/documents/reforma-electoral-mee-1.pdf>

2018.”<sup>20</sup> The bill became law in May 2017<sup>21</sup> and the FARC became a political party in August 2017 following their disarmament.<sup>22</sup>

A key aspect of this reform is consolidating and reforming the electoral management bodies (EMBs) to make them effective, particularly in responding to campaign finance law violations. Unlike most countries, Colombia had two EMBs. The Registraduría Nacional del Estado Civil (National Civil Registrar) was a political independent body tasked with non-electoral responsibilities and electoral activities, including the provision of vital records and identity cards, as well as managing the voter registration process, registering candidates, organizing and managing all elections/referendums and counting the votes.<sup>23</sup> The National Electoral Council (CNE) was a congressional elected body with oversight powers over the electoral process, including reviewing vote counts, certifying election results, legally recognizing political parties (and revoking that recognition), regulating and monitoring parties' activities, revoking the registration of candidates, regulating polling and sanctioning campaign activities and violations of the electoral laws.<sup>24</sup>

The reform law combined these two bodies, creating the Colombia Electoral Council (CEC), that subsumes the duties previously handled by the National Civil Register and the National Electoral Council, though the former retained its role as the national provider for citizen registration and identification.<sup>25</sup> The CEC is designed to be a nonpartisan body, with 5 nonpartisan members selected from lists for eight year terms. The law does not specify who comes up with the lists.<sup>26</sup> It also changed the way members of Congress are elected by creating a “100 seat ‘national Senate’ elected on closed lists, using the current system of PR (D’Hondt) and a 200 seat House elected in departments (min. 4 seats each) through a mixed system with closed lists and single-member districts (MMP or parallel voting).”<sup>27</sup>

Colombia already offered public financing of political campaigns and parties. The new law increased the amount of funding available, by transition to “a mixed, predominantly public, system of financing increasing public funding to parties, half before the election and the other half after the election...free airtime on TV”, and a new electoral court.<sup>28</sup> While not novel, the reforms included in the law created a framework allowing the FARC to establish itself as a political party and in the 2018 elections. Much work remains to be done on the implementation

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<sup>20</sup> Angelo Florez de Andrade. “A Look into Colombia’s Electoral Reform to Let FARC Guerrilla Enter Politics.” Panampost. May 25, 2017. Retrieved from <https://panampost.com/angelo-florez/2017/05/25/a-look-into-colombias-electoral-reform-to-let-farc-guerrilla-enter-politics/>

<sup>21</sup> “Colombia law gives former FARC rebels role in politics.” Aljazeera. May 11, 2017. Retrieved from <http://www.aljazeera.com/news/2017/05/colombia-law-farc-rebels-role-politics-170511064745893.html>

<sup>22</sup> Aila M. Matanock. “The FARC just became a Colombian political party. Here’s why elections are critical to a lasting peace.” The Washington Post. August 30, 2017. Retrieved from [https://www.washingtonpost.com/news/monkey-cage/wp/2017/08/30/the-farc-just-became-a-colombian-political-party-heres-why-elections-are-critical-to-a-lasting-peace/?utm\\_term=.da0f131a2ddc](https://www.washingtonpost.com/news/monkey-cage/wp/2017/08/30/the-farc-just-became-a-colombian-political-party-heres-why-elections-are-critical-to-a-lasting-peace/?utm_term=.da0f131a2ddc)

<sup>23</sup> Colombian Reflections. *Op.Cit.*,

<sup>24</sup> Colombian Reflections. *Op.Cit.*,

<sup>25</sup> Colombian Reflections. *Op.Cit.*,

<sup>26</sup> Colombian Reflections. *Op.Cit.*,

<sup>27</sup> Colombian Reflections. *Op.Cit.*,

<sup>28</sup> Colombian Reflections. *Op.Cit.*,



of these reforms however. Details on the institutional framework for political reintegration can be found in Appendix I.

*FARC Identity, Voter Registration, and Establishment of Permanent Residency*<sup>29</sup>

Colombians will cast votes for parliament on March 11, 2018. Two months later, Colombians will hold a first-round vote for president on May 27, 2018. If no candidate receives at least 50% of the vote, plus one, the two top candidates will face off in a second-round election on June 17, 2018. Election winners will be inaugurated on August 7, 2018.<sup>30</sup> Regular voter registration for the 2018 electoral cycle begins in January 2018, with voters submitting any updates to their voter registration by January 11, 2018 to vote in the congressional elections, and by March 27, 2018 to vote in the presidential election.<sup>31</sup> There will not need to be delimitation for FARC seats because the FARC are guaranteed 10 seats in Congress regardless of the geographic or popular voting results – FARC candidates only compete against other FARC candidates. Instead, seats will be allocated according percentage of support received by candidates on the FARC's party list. The government has not made any progress on providing the FARC with legal identity and registering excombatants to vote. These are all issues that must be dealt with prior to the elections for the FARC to fully participate.

When the FARC disarmed they were not given identification by the state. A census was completed but thousands of excombatants “have not yet been certified to receive identification cards, bank accounts and basic income stipends” which were key steps for reintegration guaranteed by the peace accords.<sup>32</sup> The process is reportedly to be carried out through the mail, with excombatants being sent papers in the mail at demobilization camps.<sup>33</sup> Now that thousands of excombatants have left the demobilization camps, locating them to register will be much more challenging and reliant on working with FARC party leadership to identify members.

The Registraduría Nacional del Estado Civil should partner closely with the Center for Political Thought and Education, the FARC, and the CEC to hold FARC registration drives to certify their legal status and register FARC excombatants to vote. As these drives could be a way to bring excombatants back to the reincorporation zones, the ARN should also be involved to provide information about gaining access to bank accounts and training programs should also be advertised as these drives. These drives should be held during a two-week period in January 2018 inside each reincorporation zone, inside and outside the demobilization camps, over a two-week period. During this process, excombatants will either list the demobilization as their

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<sup>29</sup> Arthur Dhont. “Passage of Colombian transitional justice legislation improves outlook for FARC peace agreement, but legislative hurdles remain.” *Janes's Intelligence Weekly*. December 4, 2017. Retrieved from <http://www.janes.com/article/76138/passage-of-colombian-transitional-justice-courts-legislation-improves-outlook-for-farc-peace-agreement-but-legislative-hurdles-remain>

<sup>30</sup> Holly K. Sonneland. “Explainer: Colombia's 2018 Election. AS-COA.” AS-COA. June 28, 2017. Retrieved from <http://www.as-coa.org/articles/explainer-colombias-2018-elections>

<sup>31</sup> “Registraduría. Preguntas Frecuentes.” Retrieved from [http://www.registraduria.gov.co/?page=E2018\\_FAOS](http://www.registraduria.gov.co/?page=E2018_FAOS)

<sup>32</sup> Angelika Albaadejo. “Colombia's FARC Pressures Government to Comply With Peace Obligations.” *Insight Crime*. September 27, 2017. Retrieved from <https://www.insightcrime.org/news/brief/farc-pressure-government-fulfill-peace-obligations/>

<sup>33</sup> Joe Daniels. “‘There's nothing for us': FARC rebels search for purpose a year after historic deal.” *The Guardian*. December 5, 2017. Retrieved from <https://www.theguardian.com/world/2017/dec/05/farc-rebels-civilian-life-colombia-peace-deal-one-year-later>

location of permanent registry, or the location in which they expect to vote. FARC excombatants will register their personal and biometric data with the state and receive permanent identification by mail at the location listed as their permanent residence. The OAS MAPP should verify the accuracy of the data of collected registrants in reincorporation zones. The UN Verification Mission should monitor and verify the holding of these events, which should be completed by February 2018 to ensure FARC excombatants' ability to participate in the upcoming electoral process. Once complete, the Registraduría Nacional del Estado Civil and the CEC will update the Chambers of Deputies and Senate voting registries.

The government must also create plans for the legal reincorporation of demobilization zones at the end of the economic reintegration period, which is expected to last until at least next fall. At the end of this process, FARC leadership is supposed to apply for the reincorporation zones to become part of municipalities represented by one of 33 districts in Colombia. FARC excombatants living in these zones will then become permanent residents of these municipalities and voting districts. Should excombatants move from these areas, they must update this information with the Registraduría Nacional del Estado Civil like any other Colombian citizen, which will then update their voter registration with the CEC. For this to occur, however, the national legislature needs to pass agrarian reform and land redistribution legislation, that also provides funding for investment in the economic development of these areas. This remains incomplete and could be a major impediment to the long-term integration of the FARC and the success of the peace agreement. The government should create a timeline for the implementation of these processes, including a timeline to pass agrarian reform legislation as soon as possible in order to ensure the FARC's participation in the congressional elections in March 2018. A failure to do so would risk losing excombatants to other criminal networks or rebel groups that continue to be active in Colombia.

### *Political Party Establishment, Campaign Training, and Integration in Political Process*

The FARC will receive 10 seats in Congress – five in the national Senate and five in the national Chamber of Deputies – beginning in March 2018 through March 2026, regardless of the voting results in the next two electoral cycles.<sup>34</sup> As a result, the winners of these seats will be based on the allocation of popular votes for the party list, rather than geographical allocations to the party. The National Congress passed the electoral reform law allowing for the establishment of the FARC as a political party in April 2017 and the FARC legally established their political party in September 2017 following the group's disarmament.<sup>35</sup> In October 2017, the leaders of FARC officially registered their new political party to participate in the 2018 elections with the CEC. The UN has verified these requirements of the peace process as being completed. Meanwhile, former FARC leader "Timochenko", otherwise known as Rodrigo Londono, has announced he is running for president in the presidential election in May 2018.<sup>36</sup> The FARC has also announced

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<sup>34</sup> Julia Cobb and Nelson Bocanegra. "Colombia's FARC Political Party looks to Coalition for 2018 Election. USNews." USNews. September 1, 2017. Retrieved from <https://www.usnews.com/news/world/articles/2017-09-01/colombias-farc-political-party-looks-to-coalition-for-2018-elections>

<sup>35</sup> Anthony Faiola. "Colombia's FARC rebels launch a political party, trading bullets for blazers." The Washington Post. The Washington Post. September 2, 2017. Retrieved from [https://www.washingtonpost.com/world/the\\_americas/colombias-farc-rebels-launch-a-political-party-trading-bullets-for-blazers/2017/09/01/86c9595e-8c28-11e7-9c53-6a169beb0953\\_story.html?utm\\_term=.73fe003ac1f2](https://www.washingtonpost.com/world/the_americas/colombias-farc-rebels-launch-a-political-party-trading-bullets-for-blazers/2017/09/01/86c9595e-8c28-11e7-9c53-6a169beb0953_story.html?utm_term=.73fe003ac1f2)

<sup>36</sup> "Former FARC commander to run for presidency in Colombia." DW. November 11, 2017. Retrieved from <http://www.dw.com/en/former-farc-commander-to-run-for-presidency-in-colombia/a-41201367>

it will field 11 excombatants as candidates in the March 2018 congressional elections.<sup>37</sup> Senate candidates include former FARC unit commanders Ivan Marquez, Pablo Catatumbo, Carlos Antonio Lozada and Victoria Sandino.<sup>38</sup> There is no women's quota for the party's candidate list or party leadership, though the peace accords placed special emphasis on women's empowerment. The party should replicate the national legislature's women's quota of 30 percent membership. This would mean that at least three of the FARC's 10 seats be allocated to women. The UN should verify whether the party fulfills this requirement following the 2018 elections.

The party debuted its platform and logo at the party's convention in September 2017. Issues covered at the convention included "wealth distribution and inequality, but also health care, public housing, women's rights, the fight against global warming, even the scourge of urban drug use."<sup>39</sup> The party also seeks to combat corruption and rural poverty.<sup>40</sup> The party rebranded itself as the Revolutionary Alternative Common Force (FARC), and debuted its new logo, which is two hands clasped in the form of a heart.<sup>41</sup> Meanwhile, the CEC requested the Colombian government provide over \$1.2 billion (3.56 billion pesos) for initial party funding to establish the FARC.<sup>42</sup> The peace accord also requires the FARC to disclose their financial assets, which the US Ambassador to Colombia recently alleged had expressed frustration that it had not yet taken place.<sup>43</sup> One consequence of this is the United States' decision not to remove the FARC's designation of a Foreign Terrorist Organization (FTO), unlike the UK and Europe. This designation prevents U.S. entities from "providing material support to FARC members' transition from



<sup>37</sup> Christina Esguerra. "In Colombia, peace remains elusive one year on." DW. November 23, 2017. Retrieved from <http://www.dw.com/en/in-colombia-peace-remains-elusive-one-year-on/a-41372941>

<sup>38</sup> "FARC leader Timochenko to run for president in Colombia." CBC. November 1, 2017. Retrieved from <http://www.cbc.ca/news/world/timochenko-presidential-bid-1.4382424>

<sup>39</sup> Anthony Faiola. *Op.Cit.*,

<sup>40</sup> Julia Cobb and Nelson Bocanegra. *Op.Cit.*,

<sup>41</sup> *Ibid.*,

<sup>42</sup> "Colombia to provide some initial funding for rebel's political party." Reuters. June 5, 2017. Retrieved from <https://ca.reuters.com/article/topNews/idCAKBN18W2PT-OCATP>

<sup>43</sup> Xun Yuan. "Does FARC's 'terrorist' designation by U.S hurt Colombia's peace?" The City Paper Bogota. October 10, 2017. Retrieved from <https://thecitypaperbogota.com/news/does-farcs-terrorist-designation-by-u-s-hurt-colombias-peace/18147>

militants to civilians” which is essential to allowing U.S. international NGOs to fully partake in the reintegration process.<sup>44</sup> In order for the party to build its capacity, it needs external technical assistance from U.S. NGOs like the National Democratic Institute – which specializes in political party training. If the FARC remains an FTO under U.S. law, the Colombian government and FARC will need to look to other international NGOs, such as the UK-based Westminster Foundation for Democracy, in order to carry out these party capacity-building activities.<sup>45</sup>

A key aspect of reforming the electoral process, that has yet to be implemented, is making it more inclusive and accessible through the use of technology and new media. Following their demobilization, many FARC excombatants became aware of social media platforms like Facebook and WhatsApp for the first time. The government can strengthen public awareness about the electoral process and outreach to the FARC by utilizing such platforms in political reintegration process. For example, outreach and recruitment for the registration drives held in January to receive identification and register to vote should be done electronically through FARC party websites and social media profiles, in addition to in-person organizing and direct mail. This will expand the reach of these communications, ensuring as many excombatants as possible participate, whether or not they are located in reincorporation zones. Further, in partnership with the OAS, electronic voting will be introduced in 2018, first for citizens living abroad, and then for the rest of the country.

#### *Electoral Training, Voter Education, and Women's Political Empowerment*

The peace agreement guaranteed that FARC ex-combatants are legally eligible to fully exercise their political rights as equal citizens under the law, regardless of their participation in the armed conflict. The law implementing transitional justice programs allows excombatants to run for office regardless of whether or not they have or will be tried for criminal activities committed during the conflict. In order to train FARC excombatants on the political process, running for office, and their role in the electoral process as citizens in democracy, the peace accords also mandated the establishment of the Center for Political Thought and Education. The Center is to be a FARC-run think tank, a not-for-profit institution that will “advance social studies and research and designing and advancing political education programs.”<sup>46</sup> The center is eligible to establish public and private partnerships, and work with and receive technical assistance from international organizations to assist in the operation of the center.<sup>47</sup> The Center's initial funding endowment is part of the \$1.2 billion allocated by the Colombian government to establish the FARC.<sup>48</sup>

While it's unclear from publicly available English-language resources to what extent the Center and its programs has been established, the Center should be independently run, and serve to

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<sup>44</sup> *Ibid.*,

<sup>45</sup> “WFD launches new Strategy at 25th Anniversary Conference.” Westminster Foundation for Democracy. The Westminster Foundation for Democracy. September 19, 2017. Retrieved from <http://www.wfd.org/category/programmetype/party/>

<sup>46</sup> “Colombia to provide some initial funding for rebel's political party.” Reuters. *Op.Cit.*,

<sup>47</sup> English Translation: “Final Agreement to End the Armed Conflict & Building a Stable and Lasting Peace”, Government of Colombia – FARC, 73. November 24, 2016. Retrieved from <http://www.altocomisionadoparalapaz.gov.co/Prensa/documentos-y-publicaciones/Documents/Acuerdo-Final-ing-web.pdf>

<sup>48</sup> “Colombia to provide some initial funding for rebel's political party.” Reuters. *Op.Cit.*,

formalize and expand the network of schools and training centers that were already established by the FARC prior to the peace settlement.<sup>49</sup> These FARC schools trained the FARC's military command leadership, and began teaching a "pedagogy for peace" curriculum<sup>50</sup> to train unit commanders for political leadership in the lead up to the finalization of the peace accords.<sup>51</sup> Part of the Center's mandate should also be focused on implementing training programs for excombatants on organizing political campaigns and civic education programming about the responsibilities of citizenship and citizens' role in a democracy, their political and social rights, voting simulations, and the political party and electoral process. As part of the electoral and civic education in the reincorporation zones, the Center for Political Thought and Education should work with the CEC to offer apprenticeships to train excombatants in electoral administration, with the opportunity to shadow or work for the EMB during the March and May 2018 elections. Separately, the ARN and CEC should also offer training and apprenticeships on becoming election poll workers in the reincorporation zones to increase the inclusivity of the elections.

There should also be special workshops to empower women political and increase their participation in the party and in the electoral process. Demobilized women may face stigma and discrimination, and for many of them returning to their families is not an option. It has been reported that "87 percent of individually demobilized women in other Colombian demobilization projects have chosen to live in anonymous urban environments like Bogotá and Medellín, instead of their native towns."<sup>52</sup> Thus, it is essential the CEC and FARC conduct special outreach to women excombatants during the registration process. The Center should also design and carry out specific workshops for women in the reincorporation zones to encourage them to participate as candidates, party officials, and voters in the upcoming election.

These training programs should be carried out in each reincorporation zone, in partnership with the CEC to build the Center's capacity to provide education and training for FARC party members and excombatants. To maximize impact, these programs should begin before the March 2018 elections and be offered on an ongoing monthly basis through the 2022 electoral cycle. The Center and the CEC should partner with international NGOs like the National Democratic Institute and the International Republican Institute should be partnered to design and implement these programs. If U.S.-institutions are unable to engage due to the FARC's FTO designation, groups like the Westminster Foundation for Democracy, Friedrich-Ebert-Stiftung (FES), and/or the Konrad-Adenauer-Stiftung. The OAS MAPP will verify the efficacy of each programs' implementation, and the UN will verify the completion of these programs as part of its verification of the FARC's political integration overall.

### *Campaign Finance and Party Accountability Mechanisms*

In Colombia, there is permanent public financing of political parties, and activities such as research, education, and training of party officers, to increase institutional development and party strength. In terms of campaign finance regulation, Colombia previously lax campaign finance

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<sup>49</sup> Emily Wright. *Op.Cit.*,

<sup>50</sup> *Ibid.*,

<sup>51</sup> *Ibid.*,

<sup>52</sup> Schwitalla, Gunhild, and Luisa Maria Dietrich. Demobilisation of Female Ex-Combatants in Colombia. Forced Migration Review 7: 58-59. 2007. Retrieved from <http://genderandsecurity.org:8080/projects-resources/research/demobilisation-female-ex-combatants-colombia>

enforcement resulted in reforms in 2003 and 2011.<sup>53</sup> Parties are required to submit disclosure forms recording donors and funding levels. Candidates may not receive anonymous or foreign campaign contributions. Campaign finance regulations allow political parties to receive international technical assistance so long as that technical assistance does not apply to campaign activities.<sup>54</sup> Under current campaign finance regulations, political parties must submit their income and financial disclosures to the CEC, which publishes it on the public digital platform “Cuentas Claras” to maximize transparency.<sup>55</sup> The FARC has failed to disclose its income and financial assessment to the CEC, which has been a complaint of the U.S. government. Such disclosures are essential to ensure that FARC party revenues are not drawn from illicit or criminal financial flows. Any remaining public funds awaiting disbursement to the FARC should be conditioned on the disclosure of its finances. The OAS MAPP will verify the FARC's adherence to campaign finance laws.

In terms of funding levels, the Colombian government provides public funding to all legally recognized political parties. The government follows a tiered distribution allocation for its public funding:<sup>56</sup>

- 10 percent of all public political party funding is equally distributed amongst all registered parties that meet the legal party criteria (representing 0.02 percent of the voting population);
- 15 percent of all public political party funding is equally distributed amongst parties with more than 3 percent of votes in congressional elections;
- 40 percent of all public political party funding is proportionally distributed according to seats obtained in previous election;
- 15 percent of all public political party funding is proportionally distributed according to seats obtained in previous municipal elections;
- 10 percent of all public political party funding is proportionally distributed according to seats obtained in previous district elections;
- 5 percent of all public political party funding is proportionally distributed according to the proportion of women elected by the party;
- 5 percent of all public political party funding is proportionally distributed according to the number of youth elected by the party.

Access to the media is also subsidized by the government. Following the 2022 electoral cycle, these public campaign funding requirements should be applied to the FARC. As the 2018 elections will be the first in which the FARC compete, however, they will not qualify for public funding based on seats obtained on the previous election. To assist in establishing the new political party, the FARC received \$1.2 billion from the Colombian Ministry of Finance. These funds, mandated by the peace accords thought not in numerical form, are to assist in the development of party infrastructure necessary and training party leadership and members

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<sup>53</sup> Kevin Casas-Zamora and Daniel Zovatto. “The Cost of Democracy: Campaign Finance Regulation in Latin America.” The Brookings Institutions. July 2015. Page 9. Retrieved from <https://www.brookings.edu/wp-content/uploads/2016/06/The-Cost-of-Democracy-CasasZamora-Zovatto.pdf>

<sup>54</sup> “IDEA Database: Colombia.” International IDEA. Retrieved from <https://www.idea.int/data-tools/country-view/82/55>

<sup>55</sup> “Cuentas Claras.” Transparency International Colombia. Retrieved from <http://transparenciacolombia.org.co/cuentas-claras/>

<sup>56</sup> “IDEA Database: Colombia.” *Op. Cit.*,

through the Center for Political Thought and Education. The OAS should verify the disbursement of this fund and its use and other financial disclosures by the party.

## **KEY ISSUES AND ACTIVITIES FOR SOCIO-ECONOMIC REINTEGRATION**

In terms of socio-economic reintegration, the peace accords focused on strengthening the country's social fabric through coexistence and reconciliation programming, and developing local economic and governance opportunities that are community-focused and emphasize the rights of women. Thus far, the socio-economic reintegration of FARC ex-combatants into the civilian life has not been thoroughly prioritized equally in the lead up to and following the March 2018 national elections. Though a number of commitments relating to socio-economic reintegration have already been implemented – including the establishment of the institutional and legal framework for reintegration – the programs of these institutions have yet to be fully implemented. The government must take immediate steps to operationalize the socio-economic reintegration of the FARC – including finalizing the legal status of former FARC fighters and militias; the reintegration of minors who have left FARC camps; access to bank accounts for FARC members; and training and educational activities – in order for there to be long-term alternatives towards armed resistance.

### *Institutional Framework for Demobilization, Disarmament, and Reintegration (DDR)*

Colombia has a vast institutional framework for DDR. There are three main institutions: Consejo Nacional de Reincorporación (CNR), Agencia para la Reincorporación y la Normalización (ARN),<sup>57</sup> and Economías Sociales del Común (ECOMÚN). The current reintegration process appears to be lagging. In October, the former leader of the FARC turned presidential candidate “Timochenko,” the nom de guerre of Rodrigo Londono, wrote a letter to the government about delays in the implementation of the peace process. These institutions and their ability to collaborate will largely determine the success of the socio-economic reintegration of the FARC.

### *Consejo Nacional de Reincorporación (CNR)*

Consejo Nacional de Reincorporación (CNR) was established on November 24, 2016. Its membership consists of two members of the government, the High Commissioner for Peace and the Director of Colombia Agency for Reintegration (ARN), and two members of the FARC. The role of the institution is to design guidelines and programs, as well as establish timelines for and monitor the progress of the reintegration process.<sup>58</sup> Peer Territorial Reincorporation Councils were also created by the peace agreement to carry out CNR programs at the reincorporation zone-level. The CNR carried out the socio-economic census of FARC excombatants in December 2016 to collect their personal identifying information and determine their vocational and labor profile. The CNR will work closely with ECOMUN for vetting and supporting collective socio-economic reintegration projects for former guerrillas.

### *Agencia para la Reincorporación y la Normalización (ARN)*

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<sup>57</sup> The Agencia Colombiana para la Reintegración: (ACR) was renamed the Agencia para la Reincorporación y la Normalización (ARN) in 2017.

<sup>58</sup> “Decree 2027 (2016) & The Formation of the National Reincorporation Council.” International Organization for Migration (IOM), Mission in Colombia RPR Program. January 2017. Retrieved from [http://www.oim.org.co/sites/default/files/SPOTLIGHT\\_January%202017\\_OIM.pdf](http://www.oim.org.co/sites/default/files/SPOTLIGHT_January%202017_OIM.pdf)

The government set up the Agencia para la Reincorporación y la Normalización (ARN) – previously known as the Agencia Colombiana para la Reintegración (ACR) to manage the socio-economic reintegration programs in the “reincorporation zones.” ARN activities follow national and international guidelines on Disarmament, Demobilization, and Reintegration (DDR) and manages the main components of the reintegration process. This includes fulfilling of social and economic assistance to the FARC (such as payments for basic living expenses), psychosocial care, vocational training, and access to the national health system.<sup>59</sup> The agency organizes and facilitates the distribution of allowances and small business/organizational grants, as well as coordinates and manages job training and apprenticeship programs in partnership with ECOMÚN. It also assists those FARC who receive the normalization allowance in planning, strategizing, and implementing FARC excombatants business for six months. Another part of ARN's role is to increase awareness about the reintegration process, documenting conditions in reincorporation zones, and conducting public outreach for partnerships. As such, the ARN actively reports their activities through social media.<sup>60</sup>

### *Economías Sociales del Común (ECOMÚN)*

In order to promote a process of collective, economic reintegration, the peace accords called for the establishment of a national, social and economic, FARC solidarity organization called Economías Sociales del Común (ECOMÚN). ECOMÚN is a civil society organization to offer economic, social, political and cultural reintegration programming. The goal of this institution is to generate an economy for the demobilized through its autonomous authority. The Government has already facilitated the legal formalization of ECOMÚN by providing funding for legal and technical assistance and an expedited and extraordinary procedure for its constitution. Although the government will have an accompaniment role, the ECOMÚN will be autonomous in its management and financial decision making. ECOMÚN must coordinate with the goal of this institution is to generate an economy for the demobilized through its autonomous authority. Agencia para la Reincorporación y la Normalización (ARN), which is the agency that will provide technical assistance to implement programs. ECOMUN will also administer the one-off normalization allowance that FARC excombatants are to use to start a new business following their participation in an apprenticeship/vocational training. The current members of the FARC may join ECOMÚN on a voluntary basis. The Chamber of Commerce of Bogota has already approved the legal establishment of ECOMÚN as a solidarity organization in the 27 reincorporation zones and throughout rural areas.<sup>61</sup> Although the peace agreement allows for the provision of economic support from the private sector and foundations, it remains unclear the level in which this has been leveraged in the current process.

The roles and responsibilities of the Reintegration Institution (CNR, ARN, and ECOMÚN) are outlined in Appendix II.<sup>62</sup> From the literature available, there is lack of information regarding the

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<sup>59</sup> Isabella Flisi. “The Reintegration of Former Combatants in Colombia. Sustainable Security.” Sustainable Security. February 13, 2017. Retrieved from <https://sustainablesecurity.org/2017/02/13/the-reintegration-of-former-combatants-in-colombia/>

<sup>60</sup> See [@ARNColombia](#) on Twitter.com.

<sup>61</sup> Jorge Herrera. “Chamber of Commerce of Bogota approved ECOMUN, cooperative with FARC. “ BLU radio. July 6, 2017 Retrieved from <https://www.bluradio.com/nacion/camara-de-comercio-de-bogota-aprobo-ecomun-cooperativa-de-las-farc-146315>

<sup>62</sup> “Organigrama En esta sección encontrará información general sobre la entidad, referente a la misión, visión, objetivos estratégicos, historia, equipo de trabajo, etc. “ARN. Retrieved from



relationship and coordination of these institutions. The CNR should create public website to communication the progress of the reintegration and answer basic questions about the reintegration process. Further, there must be more transparency about the funds allocated to the FARC. Without public access to that information, there is a high risk that corruption could undermine the reintegration process. Therefore, the UN Mission should verify the financial flows of state aid allocations to the FARC and these institutions, to ensure that the reintegration process is efficient and accountable. Due to the failure to provide the FARC with legal identities, the UN has also yet to verify several key areas of these institutions work, including the ARN's implementation of sustainable, socially-productive projects and programs; the establishment of a fund for ECOMUN-run reintegration projects; the availability of grants for individual projects; and the provision of the 24-month living allowance, a normalization allowance, social security payments and social programs for FARC ex-combatants.

### *Apprenticeship and Job Training Program*

One of the main challenges for former combatants is to find a sustainable and decent employment. Most of the ex-combatants have a limited education level, if any and it will be very challenging for them to succeed in the increasingly competitive job market. Additionally, FARC excombatants must overcome the trauma generated by the war. Female excombatants, in particular, who have transgressed traditional gender norms face difficulties in their personal and family lives. As such, providing access to new skills and reconciliation services will be essential for the FARC's economic reintegration. The ARN has developed job training and education programs for adults, including civic education and apprenticeship programs tailored individual interests, as well as local economic realities and resources. Some successful examples include:

- Following several interviews, 30 former guerrillas, including two women, were selected to undertake a three-month coffee growing training program at Tecnicafé coffee technology park. This is the first such scheme to kick-start former guerrillas' reintegration into civilian life in Cauca. Supported by several organizations, including Colombia's National Learning Service (Sena), National Federation of Coffee Growers (FNC), and Illy Café and its local supplier Ascafé, the students live in a dorm and all meals are provided, so long as participants cannot leave Tecnicafé for the duration. They receive an eight-million-peso government stipend (~\$2700) upon completing the course.
- In La Montannita, the FARC demobilization camp was turned into a farmers' commune. They grow pineapple, plantain, and yucca to sell in the market and increase tourism to the region.<sup>63</sup>
- 305 ex-combatants will train as bodyguards to prevent fellow guerrillas from attacks as they begin reintegration into society through the country's peace process. They will receive up to two months training and be given a gun along with the payment of up to

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<http://www.reintegracion.gov.co/es/agencia/Paginas/organigrama.aspx>, Telusur. "Colombia's FARC Launches Coop As First Act After Disarmament." Telusur TV. July 4, 2017. Retrieved from <https://www.telesurtv.net/english/news/Colombias-FARC-Launches-Coop-As-First-Act-After-Disarmament-20170704-0029.html>, "Spotlight: Decree 2027 (2016) & the Formation of the National Reincorporation Council." OIM. January 2017. Retrieved from

[http://www.oim.org.co/sites/default/files/SPOTLIGHT\\_January%202017\\_OIM.pdf](http://www.oim.org.co/sites/default/files/SPOTLIGHT_January%202017_OIM.pdf), and The Reintegration Strategy. ARN. Retrieved from [https://www.wilsoncenter.org/sites/default/files/camilo\\_rojas\\_alvarez\\_ppt.pdf](https://www.wilsoncenter.org/sites/default/files/camilo_rojas_alvarez_ppt.pdf)

<sup>63</sup> Adriaan Alsema. "How the FARC'S reintegration process is supposed to work." Colombia Reports. October 23, 2017. Retrieved from <https://colombiareports.com/farcs-demobilization-process-supposed-work/>

\$615 per month — three times the minimum wage. At a training academy near the capital Bogota, excombatants will undergo a series of physical, psychological and emotional tests to examine their aptitude for the job.<sup>64</sup>

As mentioned above, the creation of employment opportunities plays a vital role in sustaining peace. Though these programs have been successful, they have been implemented in a piecemeal way, providing unequal opportunities in the demobilization camps. More training should be developed for financial management as well as tailored, sustainable job development. For example, FARC excombatants could be farmers, and park rangers or guides for eco-tourists, especially in the area of Chiribiquete, the vast national park that has been inaccessible before due to the war.<sup>65</sup> A government technical institute has agreed to train former guerrillas as plumbers, electricians, or carpenters.<sup>66</sup> A model that should be replicated elsewhere is the land grant program offered by the regional committee for peace in Antioquia province.<sup>67</sup>

### *Gender-based Reintegration Program*

Although the FARC were egalitarian in terms of gender relations and parity, former FARC membership is a specific impediment to the successful reintegration of FARC women into Colombian society, which remains patriarchal and has strong gender norms that orient a women's identity around the family. As such, the peace agreement mandates a special focus on women during the reintegration process to ensure that FARC women would have economic opportunity and prevent discrimination and ostracization of female excombatants. Thus far, the ARN has created a gender-based strategy for its socio-economic reintegration programming. The strategy promotes non-violent gender relations through the implementation of psychosocial programming, such as reforming perspectives on gender, new masculinity, non-violent conflict resolution, and identifying and building constructive relationships. These programs focus on effective communication skills, tolerance, empathy, emotional assertiveness, and the demilitarization of masculinity and femininity.<sup>68</sup>

Tackling gender-based violence is also an essential component of the socio-economic reintegration program. A transformative gender reintegration program should include activities that can tackle gender stereotypes such as initiatives to promote the role of men as caregivers, equal redistribution of the childcare responsibilities and women's economic and political empowerment, among many others examples. Since the end of 2011, the ARN has carried out 24 such initiatives, with a particular focus on tackling the inter-family violence, with both male and female participants. The ARN should replicate these programs tailored to the FARC. Further, the ARN should assist with women's recruitment into ECOMÚN, the Center for Political Thought and Education, as well as the political party, while the UN Verification mission should verify the inclusivity of these institutions in terms of opportunities for women, as well as party mobility and gender parity in the FARC's bylaws.

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<sup>64</sup> Stephen Gills. "Ex-combatants from the FARC to train as bodyguards." Colombia Reports. June 12, 2017. Retrieved from <https://colombiareports.com/ex-combatants-farc-train-bodyguards/>

<sup>65</sup> Jon Lee Anderson. "Colombia's Guerrillas Come out of the Jungle." The New Yorker. May 1, 2017. Retrieved from <https://www.newyorker.com/magazine/2017/05/01/colombias-guerrillas-come-out-of-the-jungle>

<sup>66</sup> *Ibid.*,

<sup>67</sup> Atticus Ballesteros. "Colombia launches regional peace committee in war-torn northwest." November 1, 2017. Retrieved from <https://colombiareports.com/colombia-launches-regional-peace-committee-war-torn-northwest/>

<sup>68</sup> Isabella Flisi. *Op.Cit.*,

## ELECTORAL SECURITY AND JUSTICE

There is a growing public perception of insecurity throughout former FARC strongholds and reincorporation zones. According to the OAS, “the ongoing violence between different kinds of illegal armed groups, which are battling for control of the illicit economies and the territories vacated by the FARC, is seriously affecting the civilian population, particularly in rural areas...particularly worrying are the targeted killings and the threats against social, community and ethnic leaders that pursue the rights of their communities and territories.”<sup>69</sup> This insecurity not only threatens to undermine the peace accords by reinforcing the idea that the government has not been able to control rural hinterlands, but also threatens the viability of the upcoming elections. The government must take action before and during the electoral period to mitigate these and other security threats.

### *Alternative Electoral Dispute Resolution Mechanism for FARC-related Disputes*

Since 2009, the Supreme Administrative Court – the Fifth Section of the Council of State – has handled electoral disputes and can overturn election results once they are certified.<sup>70</sup> The CEC, the Colombian EMB, hears electoral complaints in the first instance. To deal with intra-party and other FARC-related electoral disputes the Special Electoral Mission proposed establishing an “Electoral Court” as a part of the electoral reform law. The court was to function as a distinct part of the judicial branch, to “resolve electoral disputes, arbitrate party disputes and decide on loss of mandates and removal from office. It would have six regional tribunals with three career magistrates each and a national body with five non-partisan magistrates (8-year terms).”<sup>71</sup> Under this proposed reform, the CEC would administer the electoral process, and the Electoral Court would serve as the electoral dispute resolution mechanism for the FARC, while disputes related to other parties would still be handled by the Supreme Administrative Court.

The establishment of the Electoral Court has not been approved by Congress. In April 2017, the president of the Senate, Mauricio Lizcano stated his concern that the Electoral Court would create a fourth power branch and put democracy at risk.<sup>72</sup> He argues that the criteria for the judge will favor the FARC.<sup>73</sup> The State Council also rejected the idea due to the cost and the fact that such a court is not mandated by the agreement for terminating of the conflict and the construction of stable and lasting peace.<sup>74</sup>

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<sup>69</sup> “OAS mission to support the peace process in Colombia values the FARC’s transition to civil life and the negotiation process with the ELN.” OAS Report. Reliefweb. November 8, 2017. Retrieved from <https://reliefweb.int/report/colombia/oas-mission-support-peace-process-colombia-values-FARC-s-transition-civil-life>

<sup>70</sup> “Reforming Colombia’s electoral system?” Colombian Reflections. March 25, 2017. Retrieved from <https://colombianreflections.wordpress.com/2017/03/25/reforming-colombias-electoral-system/>

<sup>71</sup> Ibid.,

<sup>72</sup> Oscar Andrés Sánchez. “Instituciones rechazan crear una Corte Electoral.” ElColombiano. April 25, 2017. Retrieved from <http://www.elcolombiano.com/colombia/politica/instituciones-rechazan-crear-una-corte-electoral-FK6387326>

<sup>73</sup> Samuel Salinas. “Corte Electoral Arrodillaría La Democracia”: Mauricio Lizcano.” Elheraldo. April 23, 2017. Retrieved from

<https://www.elheraldo.co/colombia/corte-electoral-arrodillaria-la-democracia-mauricio-lizcano-351477>

<sup>74</sup> Oscar Andrés Sánchez. *Op.Cit.*,

As the Electoral Court is unlikely to be formed due to this opposition and the fact that it would need to be established before FARC voter registration begins, the Colombian government should work with the CEC and Supreme Administrative Court to allocate dedicated staff and other resources to handle intra-FARC and other FARC-related electoral disputes. Should the President and FARC leadership feel strongly that a separate institution must be established on a permanent basis to settle such disputes, the government should consider the establishment of a three-judge “Dispute Committee” that is a subsidiary of the Supreme Administrative Court to hear FARC-related disputes. The CEC could still hear the complaint in the first instance, and if found to have merit, refer the dispute to the Dispute Committee. The Dispute Committee could remain temporal and be established for the first two electoral cycles, with its mandate extended if needed.

### *Protecting FARC Voters from Vote Manipulation*

For years, the civil society organization, Mision de Observacion Electoral (MOE) has been playing a vital role in monitoring Colombian elections.<sup>75</sup> In 2014 election, MOE announced 196 reports of electoral irregularities and crimes, which range from illegal political propaganda to allegations of vote buying in the central state of Tolima, the northern states of Bolivar and Valle de Cauca.<sup>76</sup> In order to educate the FARC on the threats to voting integrity and manipulation, the Center for Political Thought and Education should address these issue as part of its civic education and electoral training programs that will be offered prior to the elections. The FARC should also prohibit vote buying or gang voting amongst its membership. The Center should also seek to raise public awareness about this issue in social media, and by establish a voter assistance hotline, in coordination with the CEC, to document reports of irregularities and also answer excombatants’ questions about electoral processes and voting locations. To increase electoral security overall, the CEC should provide electoral security training for the electoral committees supervising each polling place, and provide a handbook regulating the processes for documenting and reporting electoral fraud to the CEC, such as vote buying or gang voting. The OAS should also send monitors to all polling locations to verify ballot counting and report on irregularities.

### *Transitional Justice and Political Participation*

One key law needed to keep the peace deal on track involves setting up amnesty courts and tribunals for FARC leaders. The peace accords established a system for transitional justice, consisting of a Truth Commission, a Search Unit of Missing People, and the Special Jurisdiction for Peace (SJP), the tribunal to try crimes committed during the conflict. It set out a system that would give amnesty and alternative punishment – social work and confinement to a geographic area instead of prison – to excombatants who told the truth from the beginning.<sup>77</sup> Though the peace agreement guaranteed that FARC ex-combatants are legally eligible to fully exercise their political rights, it did not determine sequencing for transitional justice and elections.

Popular opposition to the deal in some areas of the country has contributed to delays in passing the law establishing the transitional justice system, as lawmakers have avoided key debates and

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<sup>75</sup> “Misión.” Misión de Observación Electoral. Retrieved from <http://moe.org.co/mision/>

<sup>76</sup> Oliver Sheldon. “Nearly 200 reports of electoral irregularities during Colombia’s elections: Electoral Watchdog.” Colombia Reports. June 15, 2014. Retrieved from <https://colombiareports.com/nearly-200-reports-electoral-irregularities-colombias-elections-electoral-watchdog/>

<sup>77</sup> Cristina Esguerra. *Op.Cit.*,

casting votes on the measures for fear of losing electoral support. Without the law establishing and determining how the SJP would function, “the country's reinstatement process, which would integrate guerrilla members into society, is in limbo.”<sup>78</sup> In a key win for the future of the peace agreement, the transitional justice law passed Congress on Nov. 30, 2017.<sup>79</sup> It is unlikely the amnesty process will be completed, or perhaps even begun, by the March 2018 elections.<sup>80</sup> Earlier in November, however, the constitutional court ruled that the “guerrillas can take their legislative seats and run for president prior to facing judgment.”<sup>81</sup> These systems should be implemented swiftly to prevent the election of representatives that are later detained due to the results of transitional justice proceedings. Not doing so would increase polarization that has taken hold as a result of delays in implementing this law that will begin an essential national reconciliation process.

The geographic area that those convicted of war crimes would be confined to as punishment are called “restriction of liberty zones” in the peace agreement. Neither the peace accords, nor the recently passed transitional justice law appears to define or regulate the makeup of zones or prohibited activities in these zones.<sup>82</sup> Once the SJP sentences them to “restricted liberty” the next steps are less clear. Individual may be able to leave these spaces to carry out activities defined as reparations to victims. As alleged war criminals are eligible to campaign for even hold office prior to their conviction, it remains unclear what would happen to an elected FARC member and if they would be eligible to continue serving as an elected representative.<sup>83</sup> A first order of business for the SJP is establish guidelines for these processes as soon as possible in order for there to be clarity during the election.

### *Managing Electoral Spoilers, Electoral Security and Electoral Lustration*

As mentioned above, the SJP will be used to prosecute war crimes of the FARC. The SJP will likely begin operations before the March 2018 elections, and may announce prosecutions or begin prosecuting crimes committed by members of the FARC during the conflict. These prosecutions may prevent certain excombatants from voting, running for or holding office. Such announcements could be a trigger for street violence if these excombatants were able to mobilize others to the streets. It could also result in these excombatants returning to other armed groups, which would also threaten the security of the election. As the International Criminal Court (ICC) may exercise its jurisdiction over war crimes committed in the Colombia, the Colombian government could use the threat of allowing the ICC to prosecute cases, before the SJP is in operation, to discourage such violent actions. Violence from armed movements and

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<sup>78</sup> *Ibid.*,

<sup>79</sup> “Colombia’s Senate approves peace tribunals for ex-rebels.” Reuters. November 16, 2017. Retrieved from <https://www.reuters.com/article/us-colombia-peace/colombias-senate-approves-peace-tribunals-for-ex-rebels-idUSKBN1DG1PD>

<sup>80</sup> Arthur Dhont. Op.Cit.,

<sup>81</sup> Jim Wyss. “Give peace a chance? In Colombia, Some are finding it hard to do.” The Miami Herald. November 22, 2017. Retrieved from <http://www.miamiherald.com/news/nation-world/world/americas/colombia/article186057298.html>

<sup>82</sup> “9 Unanswered Questions About Colombia’s Victims and Justice Accord.” WOLA. December 23, 2015. Retrieved from <http://colombiapeace.org/2015/12/23/9-unanswered-questions-about-colombias-victims-and-justice-accord/>

<sup>83</sup> *Ibid.*,

criminal/drug gangs also threaten the electoral process, whether from assassinations of candidates to mobilizing street gangs for voter intimidation.

The CEC and the National Police should partner with IFES for pre-election training and education, such as the Electoral Violence Education and Resolution (EVER) training to prevent and prepare for electoral violence. The National Police should be deployed in greater numbers to the rural areas, and reincorporation zones in particular, and the government should consider deploying National Army forces to establish checkpoints and curfews during the electoral period to prevent the growing occurrences of assassinations and other violence in the former FARC strongholds due to armed criminal gangs and drug cartels taking over former FARC territory. In terms of electoral integrity, the MOE, which has conducted voter outreach, and election monitoring and observation since 2006, will continue to do so for the next election. The OAS will have an observation mission for the next election and will also increase the validity of the election result and electoral process. International NGOs such as IRI, NDI, and Carter Center should be partnered with for independent electoral observers for the 2018 electoral cycle.

## **CONCLUSION & KEY RECOMMENDATIONS**

Overall, the political and socio-economic reintegration of the FARC into civilian life is lagging. Growing opposition within government institutions, and in the Congress in particular, threatens to derail the peace process entirely and continued government inaction to pass the legal reforms and finalize the legality of FARC citizens could be disastrous. The potential for the deal to fully fall apart may become more probable next year if FARC has to renegotiate sensitive aspects of it, like amnesty, to satisfy legislators or a new president. Ending the agreement won't be FARC's first choice, but the question of returning to insurgency will almost certainly come up if the deal continues to hit major snags. If FARC renews its insurgency in the next few years, it would be much weaker than it was before its cease-fire with the government was implemented in 2015. After all, over the past two years, some low-ranking FARC militants and mid-level commanders across the country have split off to form their own criminal groups or join others and no longer respond to the high command's orders. But even a reduced FARC insurgency would pose a risk to foreign interests, such as oil pipelines, and undermine the stability of the country overall.<sup>84</sup>

Based on the analysis of this report, the authors offer the following key recommendations to get the political and socio-economic reintegration back on track and prevent the disintegration of the peace agreement. The full implementation of these recommendations is essential for there to be long-term alternatives to armed resistance for the FARC.

### *Political Reintegration Recommendations –*

- The government must provide legal status and citizen identification documents to FARC excombatants based on the verification of the census. Without the immediate implementation of this recommendation, the FARC will not be able to hold bank accounts, vote, or hold property.
- The FARC, ARN and CEC must increase outreach to FARC excombatants via direct organizing and social media to increase engagement with the electoral process.

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<sup>84</sup> “Is Time Running Out for the FARC Peace Deal?” Stratfor. November 8, 2017. Retrieved from <https://worldview.stratfor.com/article/time-running-out-farc-peace-deal>

- FARC should disclose finances immediately as required by Colombian law. Any further public monetary assistance from the government should be conditioned on the disclosure of previous and current FARC income.
- The OAS should verify the proper disclosure of FARC funds and other transparency measures required by law.
- The CEC should partner with INGOs like NDI and the Westminster Foundation for Democracy to provide technical assistance to the Center for Political Thought & Education on recruitment of staff, organizational management, policy writing, and political advocacy to build capacity
- The CEC & ARN must coordinate and involve international INGOs like IFES, NDI, and IRI to provide technical assistance on civic education, campaigning and voter education programming.

#### *Socio-economic Reintegration Recommendations –*

- The government must operationalize the socio-economic reintegration of the FARC by standardizing and implementing programming across all incorporation zones and institutions. It should also increase public transparency into these activities through a public website that provides a status on the implementation of the peace process.
- The Registraduría Nacional del Estado must finalize and certify the legal status of FARC fighters so they can gain access to bank accounts and register to vote.
- The government must provide access to bank accounts to former combatants.
- The ARN should design and implement specialized programming to reintegrate minors who have left the FARC camps, focusing on psychosocial activities and reintroduction to formal education
- The Congress must pass agrarian reform and fund wide-scale reinvestment programs as per the peace agreement. Should this legislation not be passed by the current Congress, the next Congress and Executive Administration should prioritize this legislation at the beginning of the next session of Congress.

#### *Electoral Security and Transitional Justice Recommendations –*

- The Ministry of Justice must establish the SPJ, by recruiting judges, commissioning investigations, announcing and trying cases under premise of innocent before guilty, and defining and formalizing the regulations pertinent to the restriction of liberty zones and victims' reparations process.
- The Ministry of Justice should create an alternative electoral dispute resolution mechanism within the Supreme Administrative Court comprised of three federal judges, and the CEC should create a FARC-specific dispute resolution process and making it public.
- The National Police Force should deploy increased security throughout the reincorporation zones and surrounding municipalities, as well as voting locations, during the electoral period.
- The government should consider deploying members of the National Army to back up the police force, and implement checkpoints and curfews.
- The CEC should invite international observers and the OAS should verify vote counts at ballot centers to prevent vote manipulation, as well as verify the final election results.

## APPENDIX I: Institutional Framework of Political Reintegration

Institution	Roles	Responsibilities
Columbia Electoral Commission	Electoral Management Body	<p>§Electoral administration</p> <p>§Verification of election results</p> <p>§Technical assistance to the FARC, voter registration, and voter education.</p>
Registraduria Nacional del Estado Civil (National Civil Register)	Citizen identification, certifying legal status of FARC excombatants	<p>§National agency for legal documentation of citizenship and identification</p> <p>§Certifying the legal status of the FARC</p> <p>§Providing national identification and submission of voter registration to the Chamber of Deputies and Senate voter registries.</p>
Center for Political Thought & Education	A FARC think tank	<p>§ Design programs for voter engagement, education, and opportunities for political participation</p> <p>§ Develop policy and political strategies to reform Colombian law on key FARC issues such as agrarian reform and wealth inequality</p>



## APPENDIX II: Institutional Framework of Socio-Economic Reintegration

Institution	Roles	Member	Responsibilities
<p>Consejo Nacional de Reincorporación (CNR)</p> <p>(National Reincorporation Council)</p>	<p>Commission for monitoring, Promotion, and Verification of the Implementation.</p>	<p>§ Two representative members of FARC</p> <p>§ Two representative members of government (High Commissioner for Peace and the Director of ARN)</p>	<p>§ Define the activities related to the reincorporation</p> <p>§ Establish the timeline and tracking process for reincorporation activities</p> <p>§ Work with ECOMUN to determine the viability of the proposed projects and evaluate the socioeconomic reintegration services.</p>
<p>Agencia para la Reincorporación y la Normalización (ARN)</p> <p>(Agency for Reincorporation and Normalization)</p> <p><i>Formerly:</i> Agencia Colombiana para la Reintegración: (ACR) (Colombian Agency for Reintegration)</p>	<p>Government institution that executes the reintegration programs.</p>	<p>§ The agency composed by Directorate General, Program management, Secretary-General, legal advice, planning office, Communication office, Technology, and Internal Control Group management.</p> <p>§ The head of ARN (Directorate General) will become the representative ARN into CNR</p>	<p>§ Advise the National Government in the implementation of the policy of DDR</p> <p>§ Implement, design, execute, and evaluate the reintegration program</p> <p>§ Coordinate with state entities that develop activities tending to facilitate the development of DDR processes.</p> <p>§ Promote alliances with national and international agencies for the implementation and development of reintegration process</p>
<p>Economías Sociales del Común (ECOMÚN)</p>	<p>A FARC organization based on solidarity and social economy</p>	<p>§ 37 former members of the FARC from the 27-demobilization zone completed a basic workshop on social economy prior to the formation of the cooperative.</p> <p>§ FARC member will run and manage this institution.</p>	<p>Regulates and implement FARC economic activities, such as:</p> <p>§ Organize grants for individual projects</p> <p>§ Provision of the 24-month living allowance, a normalization allowance, social security payments and social programs for FARC ex-combatants.</p>

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