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Colombia
Renegotiating peace

Venezuela
Negotiation and mediation of the political conflict

BRICS Policy Center Centro de Estudos e Pesquisas - BRICS

GSUM
Global South Unit for Mediation

Colombia
Renegotiating peace

Aiming to adapt the agreements signed on September 26th and rejected at the referendum on October 2nd, throughout October President Juan Manuel Santos and his negotiating team met with leaders of the "no" campaign and initiated a "constructive dialogue" with the *Fuerzas Armadas Revolucionárias de Colombia* (FARC). On October 20th, Santos put a close to weeks of meetings and gathering of proposals alongside several sectors of the Colombian society. On the following day, 445 proposals in hand, the government's negotiating delegation flew to Havana in search of a new agreement with the guerrilla.

According to the President, the first contacts of this new phase of negotiations were positive and the FARC are demonstrating willingness to listen to the proposals put forward by the Colombian society. On October 28th, the parties issued a joint statement in which they informed that "the proposals are being discussed very carefully and many of them are being incorporated into the text of the new accord". It also announced that they would return to the negotiation table on November 3rd – a date later postponed to the next day, to allow meetings with "no" campaign representatives to be concluded in Colombia.

In an interview with EFE, Santos explained his race against the clock and said he expects a new agreement by the end of November. He also announced he would exercise his constitutional power to determine the mode of implementation for the new agreement once it is reached. On November 2nd, however, during his state visit to the United Kingdom, Santos hinted that, instead of calling for a second plebiscite, he will submit the agreement for Congressional approval.

On the 23rd and 24th of October, parallel to conciliatory initiatives between the government and the opposition, the FARC met with evangelical leaders in Havana in order to discuss the gender focus of the agreement – one of the most controversial issues among conservative and religious sectors of Colombia. The meeting resulted in a document entitled "*Christianism participating: to the Christian people and those who profess a religious faith*", which contained a few common points between the two groups to be taken to the negotiation table. Its five main points determine that a gender focus should (i) concentrate on women's rights; (ii) respect the notion of family; (iii) respect freedom of religion; (iv) recognize Christian victims; and (v) have the Church as a strategic agent of peace. LGBT leaders reacted to the exclusory character of the document. On November

2nd, after a meeting between LGBT leaders and the FARC delegation, a joint communiqué acknowledged that the agreement's gender focus cannot strip fundamental rights from any portion of society and pondered that the peace dialogues should not approach topics that are unrelated to the armed conflict (such as the traditional notion of family). The content of both documents, as well as the proposals defended by the political opposition on the topic, will be discussed in the next round of talks in Havana.

The peace talks kept their momentum and support in the international arena. The guarantors (Cuba and Norway) and accompanying countries (Venezuela and Chile) are still working to support this new phase of negotiations. International backing to current peace efforts also echoed at the XXV Ibero-American Summit, which took place in Cartagena, and during Santos' visit to the United Kingdom. This week, furthermore, the Security Council of the United Nations (UNSC) voted in favor of the maintenance of the organization's verifying and monitoring mission, which will keep verifying the ceasefire and will wait for the conclusion of the negotiations to exercise its role in the disarmament of the guerrilla.

At the domestic sphere, demands for peace are being voiced in street demonstrations, and the post-plebiscite effort seems to be slowly conquering wider popular support to a negotiated solution. On November 3rd, a Gallup poll indicated that 77% of Colombians are favorable to insisting with negotiations until an agreement is reached – a 20-point increase from August numbers. President Santos' approval has also slightly gone up, from 29 to 34%, even though his rejection is still at 60%. The FARC, in turn, have reached their most positive ratings since 2000, going from 11% in August to 18% in October.

The launch of the public phase of negotiations with the National Liberation Army (ELN), lastly, faced obstacles over the last few weeks. While the installation of the negotiating table was set to October 27th, and the dialogues were set to start on November 3rd, neither of the dates were fulfilled. Former General and psychiatrist Juan Camilo Restrepo was announced as head negotiator of the government's delegation, which will also be composed by five "high profile" negotiators, four men and one woman, two of which are former Ministers. ELN's team, in turn, will have nineteen negotiators and will be led by Pablo Beltrán, a member of the guerrilla's high command.

Before negotiations could be initiated, the parties faced disagreements regarding the maintenance of hostages by the guerrilla, which already had been an issue since the peace process was announced last March. In a last-minute decision, President Santos announced his decision to postpone negotiations until former congressman Odín Sánchez, kidnapped

six months ago, was released. In a statement released though its Twitter account, the ELN argued that "it did not fail to abide to its agreement with the government". While the parties have met in search for a solution to this crisis, the government is adamant on not starting the process unless the guerrilla frees Sánchez. The ELN, in turn, declared that this was not one of the previously established conditions on the part of the government when the two decided in favor of initiating public talks.

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Declarations

❖ Presidencia de Colombia

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Declaración del Jefe de la Delegación del Gobierno, Humberto de la Calle. (21/10/16): https://goo.gl/txDL9g

Alocución del Presidente Juan Manuel Santos sobre avances del Diálogo Nacional por la Unión y un nuevo Acuerdo de Paz. (23/10/16): https://goo.gl/wSrPHn

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❖ Mesa de Conversaciones

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Venezuela

Negotiation and mediation of the political conflict

The last few weeks in Venezuela were marked by disputes, political tension and dialogue attempts between government and opposition. In this context, the political struggle and the negotiation between the parties involved were central.

Despite previous negotiation attempts carried out with the support of former Spanish President José Zapatero to appease the political situation (*see Radar n.20*), the decision of Venezuela's National Electoral Council (CNE) to postpone regional elections by more than six months generated friction between government and opposition. The change in the date of the elections, from the end of 2016 to the end of the first semester of 2017 was seen by the opposition coalition Mesa de Unidad Democrática (MUD) as "an irresponsibility of the CNE and a coward move by the regime".

The political situation in the country changed abruptly on October 20th, when the CNE decided to suspend the process of signature collection for the referendum revoking Nicolás Maduro's presidential mandate. Through a communiqué, the council reported that the revocation proceedings were halted due to the issuance of injunctions in states of Apure, Aragua, Bolívar, Carabobo and Monagas, which paralyzed the process in order to investigate a possible electoral fraud.

The decision of the Electoral Council was not well received by the Venezuelan opposition nor by the Organization of the American States (OAS). Henrique Capriles, member of Primero Justicia party and MUD, described the process as "a very serious attempt against the constitution". The Secretary General of the OAS, Luis Almagro, also considered the event a "breach of the democratic system". Almagro was not alone in opposing the decision of the CNE: several members of the OAS, such as Brazil, Argentina, the United States and Uruguay, expressed through a joint statement the "concern with the CNE's decision to postpone the [...] recall referendum". The countries also called on "all political actors [...] to bring about, with brevity and a climate of peace, the efforts of a national dialogue". The Union of South American Nations (UNASUR), in turn, said that this decision caused "frustration in many Venezuelan citizens who saw in the process a constitutional solution to the political crisis". In addition, the organization argued "political

crises are not solved with less democracy, and […] legality must always go hand in hand with legitimacy".

The situation of political exhaustion in the country lingered for the following days. On October 23rd, the Venezuelan Parliament declared, in a special session, that a "rupture of the constitutional order" was taking place, whilst the National Assembly (AN) affirmed the existence of a "coup d'état promoted by the regime of Nicolás Maduro". On Monday, October 24th, the AN approved the political trial of the Venezuelan President on charges of "serious violations of the Constitution and Human Rights". This trial could result in the annulment of Maduro's term.

Parallel to this, on October 24th, Maduro met with Pope Francis in the Vatican. The meeting coincided with the establishment of a negotiating table between the government and the Venezuelan opposition. The table is an initiative led by UNASUR and aims to "create spaces of trust among political actors and select topics that could be part of the agenda", including issues such as the Truth and Justice Commission, the discussion on the functioning of constitutional powers, and the adoption of economic measures for social relief. The papal envoy was the apostolic nuncio in Buenos Aires, Emil Paul Tscherrig. During the reading of the communiqué of the parties involved in the negotiation, Emil Tscherrig said that "the national dialogue began".

On October 30th, the negotiation process was launched. The discussions were divided into four main tables composed, each one, by a coordinator, an opposition member and a member of the Venezuelan government. The negotiating tables cover: i) Peace, rule of law and national sovereignty, coordinated by former Spanish President José Zapatero; ii) Truth, Justice, Human Rights, Reparation of Victims and Reconciliation, coordinated by the Holy See; iii) Economic and social issues, coordinated by former president of the Dominican Republic, Leonel Fernández; and iv) Generation of Trust and Electoral Timeline, coordinated by former Panamanian President Martín Torrijos. At the occasion, it was decided that an upcoming meeting would be scheduled for November 11th. US ambassador Thomas Shannon was also in the country during these talks. Shannon was sent to Caracas to "meet with government officials, members of the political opposition and representatives of civil society" in a separate initiative from the negotiating table led by UNASUR.

Initial results of the negotiations were, on the one hand, the release of five political activists: Marco Trejo, Andrés Moreno, Coromoto Rodríguez, Pablo Parada and Jean Carlos

Ortiz. On the other hand, the National Assembly stopped President Maduro's trial process and canceled a demonstration scheduled for November 3rd. In addition, the Venezuelan opposition has given a deadline until November 11th – the date of the new negotiation meeting – to receive "positive responses" from the government. A number of actors supported the political dialogue. In a letter addressed to Pope Francis, Human Rights Watch said that "the situation in the country is critical" and "all appropriate conditions must be guaranteed to make the dialogue productive". On November 1st, the chancellors of Argentina, Brazil, Chile, Colombia, Mexico, Paraguay and Uruguay also declared support for the political dialogue in Venezuela.

Although the demonstration on November 3rd was canceled, on October 26th more protests surfaced against the government. On this day, a general strike was called in the country. According to the Venezuelan Criminal Forum, the demonstrations occurred in 19 states and were marked by clashes between government supporters and Maduro's opponents, resulting in 80 people injured and in more than 250 arrests. The demonstrations can be understood as a response to the severe food supply crisis in the country, to the political decisions taken by the government along with the history of human rights abuses, as highlighted by a report recently published by Amnesty International Venezuela.

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AN declaró ruptura del orden constitucional y golpe de estado en Venezuela. (23/10/16): https://goo.gl/vJ6ujU

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