For Too Long We Have Known Violence, Now We Want Peace.
The Struggle to End Armed Conflict in the Colombian Department of Chocó

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Terms and Acronyms

AGC/*Clan de Golfo*: *Autodefensas Gaitanistas de Colombia*

AUC: United Self Defense Forces of Colombia

BARCIM: *Bandas Criminales*

CIVP: *Comisión Interétnica de la Verdad de la región Pacífico*

CMPVI: Commission for Monitoring, Promoting and Verifying the Implementation of the Final Agreement

CSGB: Simón Bolívar Guerrilla Coordinating Committee

DANE: *Departamento Administrativo Nacional de Estadística*

DPTFS: Development Programs with a Territorial-Based Focus

ELN: *Ejército de Liberación Nacional*

FARC-EP: *Fuerzas Armadas Revolucionarias de Colombia*

Indepaz: *Instituto de Estudios para el Desarrollo y la Paz*

JEP: Special Jurisdiction for Peace

OCHA: Office for the Coordination of Humanitarian Affairs

SIVJRNR: Comprehensive System of Truth, Justice, Reparation, and Non-Repetition

STPED: Special Transitory Peace Electoral Districts

TLZNs: Transitional Local Zones for Normalization

UBDP: Unit for the Search of Disappeared Persons

UN: United Nations


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[1] "Map Chocó (Colombia): Departamento del Chocó. Boundaries, hydrography, main cities, names," *D-Maps.com*, n.d., https://d-maps.com/carte.php?num_car=76316&lang=en.

Introduction

On October 16, 2020, over 500 people took to the streets of Quibdó, the capital of the department of Chocó, in a silent march to express their frustration at the state's inability to foster peace throughout the region. The event, known as the *Marcho por la vida y la paz,* was attended by some of the department's most influential organizations including the Catholic Church, sectors of the local government, civic groups, trade unions, and members of the academic community.[2] The participants first gathered for a blessing from Quibdó's bishop then proceeded to march to city hall, the mayor's office, and the district attorney's office before finally concluding at the St. Francis of Assisi Cathedral.[3] These destinations were chosen in an attempt to persuade Chocó's most prominent public officials, as well as the decision makers in Bogotá, into advancing regional peace-building strategies. Upon reaching their final destination, the participants placed empty coffins in front of the cathedral's entrance to symbolize the growing wave of violence that has swept across Chocó in recent years.

The *Marcho por la vida y la paz* served as a reminder that the 2016 peace agreement ratified by former Colombian President Juan Manuel Santos and Rodrigo Londoño, leader of the *Fuerzas Armadas Revolucionarias de Colombia – Ejército del Pueblo* (FARC-EP), did not bring an end to the epidemic of violence that has long plagued Chocó. Instead, the guerrillas' demobilization created a new power struggle within the department. Following the FARC-EP's transition from the battlefield to the political arena groups such as the *Ejército de Liberación Nacional* (ELN), which is now the largest guerrilla force in Colombia, and the *Autodefensas Gaitanistas de Colombia* (AGC), Colombia's premier criminal network, moved in on the FARC-EP's former regional strongholds and drug networks. In the process, tens of thousands of *Chocoanos* (inhabitants of the department of Chocó), have been subjected to forced displacement, forced confinement, and other horrors of the armed conflict. The fact that violence

[2] El Baudoseño, "En Quibdó se realizó multitudinaria marcha "Por la Vida y por la Paz,"" *El Baudoseño,* n.d. https://www.elbaudoseno.com/en-quibdo-se-realizo-multitudinaria-marcha-por-la-vida-y-por-la-paz/

[3] Comisión Interétnica de la Verdad de la Región del Pacífico, "Quibdó marchó por la Paz," *Verdad Pacífico,* October 17, 2020. https://verdadpacifico.org/quibdo-marcho-por-la-paz/

has carried forward into the so-called post conflict era in Chocó brings into question the extent to which the peace agreement has altered life in the nation's periphery.

Considering, however, that Colombia has 32 departments, all of which were impacted by the conflict in one form or another, it is important to address the following question: why does Chocó merit special attention? To begin with, Chocó has experienced particularly high levels of violence throughout Colombia's conflict, registering more victims of forced displacement than almost any other department in the nation. It is therefore important to analyze the most recent trends of violence in the region in order to determine the extent to which the 2016 peace accords have improved the state of security in the department. Secondly, Chocó is a region that has historically struggled to obtain visibility on both a national and international level. Its ethnic composition, chronic state of economic underdevelopment, and status as a frontier zone have created a reality in which the events that transpire in Chocó are largely considered inconsequential. In an effort to challenge state neglect and the power of armed actors in the region it is crucial that Chocó gain greater visibility. Academic investigations on the nature of violence in the department can help contribute, albeit modestly, to Chocó's path for greater recognition. Lastly, one of the most basic premises of the 2016 agreement is that peace is only possible if every Colombian plays a role in transforming Colombian society. In Chocó there has been a robust movement to build long-lasting peace with the FARC-EP as well as the ELN. *Chocoanos* have not only fought to ensure that the 2016 peace agreement is implemented in its entirety, but they have also pushed for a resumption in peace talks between the ELN and the Duque administration. At a time in which Colombia's peace process has begun to falter, *Chocoanos* have stood out amongst their fellow Colombians for their commitment to ending violence.

This paper investigates the so-called post conflict scenario in Chocó. Chapter One provides a general overview of Colombia's internal conflict as well as the specific features of the 2016 Final Agreement. It then explores both the successes and failures of the peace process to date. Chapter Two introduces readers to the department of Chocó itself, highlighting how its history, ethnic makeup, topography, and relationship with the national government factor into the

armed conflict. Next, Chapter Three examines the reconfiguration of the armed conflict in Chocó following the demobilization of the FARC-EP. It then provides a detailed account of the most recent trends of violence in the department and analyzes how these trends run contrary to the security guarantees laid out in the Final Agreement. Finally, Chapter Four analyzes the most recent breakdown in peace talks between the ELN and the Colombian government as well as the efforts that grassroots organizations have undertaken to return both parties to the negotiation table. Chapter Four also explores how members of the civilian population in Chocó have attempted to hold the Colombian government accountable for the promises it made in the 2016 peace agreement. Taken together, these chapters demonstrate that the disarmament of the FARC-EP, while a laudable achievement, was only the first step toward constructing peace in the department of Chocó. This paper further exposes the fundamental difference between how the Duque administration and the inhabitants of Chocó want to pursue the disarmament and demobilization of the ELN. I argue that as long as Duque remains in power, the department of Chocó will continue to be subjected to heightened military activity carried out by both state and non-state forces.

Chapter One

Colombia's Path from Conflict to Peace

Colombia is a country that has long been associated with violence, cocaine production, and instability. Since the latter half of the twentieth century, the Colombian government has struggled to secure a monopoly on force as guerrilla groups, paramilitary organizations, and drug cartels employed violence to obtain control over vast parts of the Andean nation. In 2016, the balance of power in Colombia shifted in the state's favor when former Colombian President Juan Manuel Santos and guerrilla leader Rodrigo Londoño signed a peace accord which brought an end to armed hostilities between the Colombian government and the FARC-EP. Arguably one of the most significant events in modern Colombian history, the ratification of the peace deal brought an end to the longest ongoing insurgency in Latin America. While securing this agreement was no easy task, the 2016 peace agreement offered Colombia a unique opportunity to construct a more peaceful and egalitarian society. Yet, fulfilling the promises laid out in the 2016 agreement has proven to be a challenging task, leaving the future of the peace process in doubt. This chapter begins with a brief summary of Colombia's internal conflict and its path toward peace with the FARC-EP. It then explores the specific items on the 2016 agreement as well as the successes and failures that have shaped the peace process this far.

Review of the Colombian Conflict

Throughout much of its recent history, Colombia has been plagued by a deadly, prolonged internal conflict. In the mid-1980s, the Colombian government began keeping a detailed record of the number of victims of the armed conflict. It found that between 1985 and 2016 at least 220,000 Colombians were murdered, 45,000 were forcibly disappeared, 30,000

were kidnapped, and 10,000 were victims of torture.[4] Millions more were forcibly displaced. Many academics have suggested that Colombia's outbreak of political violence is rooted in the decade of fighting that took place between Liberals and Conservatives from 1948-1958 known as "*La Violencia*" and later blossomed with the creation of the FARC-EP and ELN in the early 1960s. Others, such as David Spencer, challenge this claim. Spencer asserts that Colombian history is rife with precursors to the modern internal conflict even going so far as to suggest that Colombia "is a country that has continually been at war with itself."[5] Factors that have historically contributed to the outbreak of violence include the Colombian state's weak central government, sharp wealth inequality, unequal land distribution, trends of political exclusion, structural racism, and competition to control the nation's vast amount of natural resources. Colombia's modern conflict stands out, however, from prior periods of violence for both the complexity of the actors involved in it as well as the staggering impact it has had on the nation's civilian population.

Unlike other Latin American nations that experienced armed struggles between state forces and a singular insurgent group, Colombia's conflict has involved numerous guerrilla groups, paramilitary forces, and criminal organizations. Initially, Colombia's insurgency movement was typified by the FARC-EP and the ELN, both of whom sought to overthrow the state in order to institute economic as well as political policies which would cater to the needs of Colombia's most marginalized citizens such as the rural poor. During the 1980s, right wing paramilitary organizations formed across the country often at the behest of wealthy landowners who wanted better protection from the growing threat the guerrillas posed to their personal

[4] La Oficina del Alto Comisionado para la Paz, *Proceso de Paz: Acuerdo Sobre las Víctimas del Conflicto,* 2016, 2.
[5] David Spencer, "A Long War," in *A Great Perhaps? Colombia: Conflict and Convergence,* ed. Dickie Davis, David Kilcullen, Greg Mills, and David Spencer, (London: C. Hurst & Co., 2016), 18.

security and economic interests. In 1997, Colombia's vast network of paramilitary groups joined ranks to form the United Self Defense Forces of Colombia (AUC), an armed network which often coordinated its campaigns with the Colombian military. United under an anti-guerrilla banner, the AUC conducted military operations against the FARC-EP and often murdered, disappeared, and displaced those who allegedly sympathized with the insurgent group. Under President Álvaro Uribe, the AUC struck a peace deal with the Colombian government and by 2006 close to 31,000 members of the group had, on paper, officially disbanded.[6] Other members of the AUC, however, went on to join or form successor groups commonly referred to by the acronym BARCIM (standing for *Bandas Criminales*).

Apart from guerrilla and paramilitary forces, Colombia's internal conflict has been shaped by the drug economy. Virtually every prominent group in Colombia's armed conflict entered the drug trade, to some degree or another, to finance their operations. Although it is difficult to ascertain exact figures on illicit economies, it is believed that 70 percent of paramilitary funding came from drug money.[7] Scholars also think that somewhere around 45 percent of the FARC-EP's overall income was rooted in the drug trade, but this is likely a low estimate.[8] Profits from the production and distribution of illicit narcotics like cocaine enabled these groups to not merely finance their operations but to also expand their military capabilities and spheres of influence. Today the drug trade remains at the heart of Colombia's internal conflict.

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[6] Congressional Research Service, Latin American Affairs, *Colombia's Peace Process Through 2016*, 2016, 11.
[7] Carlo Nasi, "Colombia's Peace Processes, 1982-2002. Conditions, Strategies, and Outcomes," in Colombia: Building Peace in a Time of War, ed. Virginia M. Bouvier (Washington D.C.: United States Institute of Peace Press, 2009), 56.
[8] David Kilcullen and Greg Mills, "Colombia's Transition," in *A Great Perhaps? Colombia: Conflict and Convergence,* ed. Dickie Davis, David Kilcullen, Greg Mills, and David Spencer (London: C. Hurst & Co., 2016), 6.

Pursuing Peace with the FARC-EP

Colombia has a long history of trying to negotiate peace with the FARC-EP. For approximately four decades, various Colombian administrations attempted to end the conflict with the guerrilla group through negotiations. In 1982, Conservative President Belisario Betancur engaged in secret peace talks with the FARC-EP. Betancur's efforts led to the first ceasefire with the guerrilla group, but ultimately the negotiations failed to advance. Nine years later, members of the Colombian government sat down with the Simón Bolívar Guerrilla Coordinating Committee (CSGB), a coalition of guerrilla groups which at the time consisted of the FARC-EP and ELN, in Caracas, Venezeula and Tlaxacala, Mexico. By mid-1992 talks reached an impasse, and the guerilla groups resumed their individual campaigns against the government. Following his election in 1998, Conservative President Andrés Pastrana resumed peace talks with the FARC-EP and as a sign of good faith he created a demilitarized zone the size of Sweden for the guerilla group in San Vincente del Caguan in which the Colombian military could not enter. The purpose of the safe zone was to provide the guerrillas with a secure location from which they could conduct peace talks. Pastrana's critics argue that the FARC-EP utilized the demilitarized zone as a base to launch their military operations, and further took advantage of the Colombian armed forces' cessation of activities to expand their military and economic strength.[9] This lesson would have a profound impact on Santos' path toward peace with the guerrilla group.

With the arrival of Álvaro Uribe to the presidential office in 2002 the Colombian government's attitude toward the FARC-EP changed dramatically. During his two terms as

[9] Ibid, 8.

president, Uribe pursued a military-based counter-insurgency program known as "*Seguridad Democratica*" which dealt the guerrillas a series of heavy blows. President Uribe's administration also worked with the Colombian military to initiate a High Value Target campaign designed to strike at the FARC-EP's high command, and for the first time in its history, the group's leadership experienced meaningful loss.[10] It is widely believed that the Colombian military's ability to strike at the FARC-EP's leadership helped lay the foundation for the peace talks with the Juan Manuel Santos administration.

Juan Manuel Santos' Road to Peace

The path that led to the ratification of the Final Agreement entailed three distinct stages. From February to August 2012, secret, exploratory talks were held between representatives from the Juan Manuel Santos administration, which came into power in 2010, and the FARC-EP. This phase led to an agreement that the peace talks would be based on a five-item agenda and further covered the process by which the final accord would be implemented and verified. In the second phase, which took place from October 2012 to August 2016, both sides debated the specific contents of each item on the agenda. Talks first began in Oslo, Norway, but the location quickly shifted to Havana, Cuba, which then served as the permanent site of the remaining negotiations. Apart from hosting the negotiations, Cuba and Norway also served as the peace talks' guarantors. When negotiations reached an impasse or were on the verge of ending altogether, representatives from these two nations played a critical role in helping talks get back on track. Throughout the second phase of the peace negotiations, efforts were made to give victims of the conflict as well as members of the general public opportunities to participate in the process. Over

[10] Juan Carlos Pinzón Bueno, "Preface," in *A Great Perhaps? Colombia: Conflict and Convergence,* ed. Dickie Davis, David Kilcullen, Greg Mills, and David Spencer (London: C. Hurst & Co., 2016), Xxviii-xxix.

60,000 Colombians sent proposals to the *Mesa de Conversaciones* while thousands of others attended forums which were organized to discuss the five items on the peace accords' agenda.[11] Sixty victims who were considered representative of the broad range of abuses that had been inflicted on Colombia's civilian population were chosen to travel to Havana to meet directly with the dialogue's chief negotiators.[12] While there, these victims were able to provide firsthand accounts of how they suffered from the armed conflict, provide input on the five items being discussed, and express their expectations as to how the peace deal would be implemented.[13] These victims also encouraged both sides to achieve their goal of ending the conflict once and for all, a task which came into jeopardy numerous times during the negotiations.

At the end of phase two, a plebiscite was held which gave Colombian voters the ultimate say in whether or not the peace agreement would be implemented. To some it seemed strange to end an armed conflict through a public referendum, but President Santos believed that pursuing a democratic avenue would further legitimize the agreement in the eyes of the Colombian public and contribute toward national reconciliation.[14] The accords' opponents, led by former President Álvaro Uribe, immediately set about challenging the credibility of the agreement. Uribe accused the peace deal of giving blanket immunity to the guerrilla forces, and specifically alleged that it allowed some of the most violent acts committed by the FARC-EP, as well as their role in the drug trade, to go unpunished.[15] He further alleged that Santos had unwittingly laid the

[11] La Oficina del Alto Comisionado para la Paz, *El Acuerdo Final de Paz: La Oportunidad para Construir Paz*, 2016, 3.
[12] La Oficina del Alto Comisionado para la Paz, *Proceso de Paz: Acuerdo Sobre las Víctimas del Conflicto*, 2016, 6.
[13] Ibid.
[14] Sergio Jaramillo, "The Possibility of Peace," *The Pearson Institute,* 2017, 17.
[15] Harvey F. Kline, *The Sword and The Wall: The Santos Peace Negotiations with the Revolutionary Armed Forces of Colombia* (Tuscaloosa: The University of Alabama Press, 2020), 132.

foundations for a socialist uprising in Colombia by allowing the guerrillas' chain of command to participate in Congress.[16]

Ultimately, the No campaign proved to be successful, winning by a mere 0.4 percent of the total votes cast. Following this unanticipated defeat, Santos' chief negotiators met with members of the No campaign as well as the FARC-EP's representatives and later produced a revised version of the peace agreement which attempted to placate some of the opponents' concerns. Rather than risk a second rejection at the hands of Colombian voters, Santos sent the revised agreement to the Colombian legislature where it was approved. This legislative victory propelled the peace process into its third and current phase: the process of implementation. The architects of the Final Agreement anticipate that it will take ten years to completely implement the long-term goals laid out in the three hundred plus page document.

The Final Agreement

The "Final Agreement to End the Armed Conflict and Build Stable and Lasting Peace" is comprised of a six-item agenda that states the specific goals of the peace process and the mechanisms that will be employed to pursue them.[17] The items on the agenda include comprehensive rural reform, increased political participation, specific steps to end the conflict, the solution to the problem of illicit drugs, the rights of victims, and mechanisms to ensure implementation and verification.[18] In addition to the six-item agenda the peace deal also contains a brief section referred to as the "Chapter on Ethnic Perspectives" which from this point on will

[16] Ibid, 134-135.
[17] The Office of the High Commissioner for Peace, *Summary of Colombia's Agreement to End Conflict and Build Peace*, 2016, 3.
[18] The Office of the High Commissioner for Peace, *The Colombian Peace Agreement: The Opportunity to Build Peace*, 2016, 2.

be referred to as the "Ethnic Chapter." One of the most basic principles of the agreement is that the peacebuilding process was contingent upon ending the conflict with the FARC-EP and ensuring that the group demobilized.[19] Furthermore, the agreement emphasizes that the victims of the conflict are at the "center of the process" and that their rights to truth, justice, reparations, and non-repetition would serve as the guideposts of the development of peace.[20]

Comprehensive Rural Reform

The unequal distribution of land in Colombia is widely recognized as one of the root causes of the nation's prolonged conflict. The first item on the Final Agreement's agenda therefore deals with the government's plan to generate greater access to land throughout the nation's countryside. More specifically, item one calls for the creation of the Land Fund, a government body responsible for distributing 3 million hectares of land between 2016 and 2028.[21] It also outlines a large-scale land titling project designed to ensure that small and medium sized landowners can no longer be dispossessed of their property through the threat of violence. Similarly, the government will pursue a land restitution program, created to return those who were forcibly displaced by the armed conflict to their rightful property.

Item one of the agenda also outlines the creation of Development Programs with a Territorial-Based Focus (DPTFS). The basic premise of the DPTFS is that the state must transform the regions that have been most affected by the armed conflict and government neglect in an effort to limit the possibility of new armed conflict.[22] The DPTFS are further based upon the idea that the

[19] Ibid, 3.
[20] The Office of the High Commissioner for Peace, *The Colombian Peace Process: The Agreement Regarding the Victims of the Conflict,* 2016, 4.
[21] The Office of the High Commissioner for Peace, *The Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace,* 2016, 14.
[22] Ibid, 22.

state cannot impose any program on a community without strong local consent. The DPTFS are to be accompanied by national programs meant to drastically reduce poverty, eradicate extreme poverty, and improve food security. Item one of the agenda provides guarantees that Colombia's poorest communities will also be beneficiaries of road infrastructure and will gain greater access to public services such as health programs, housing, and educational opportunities.

Political Participation

The second item on the peace accords' agenda is dedicated to the theme of increased political participation. It lays the groundwork for the creation of new political parties and creates mechanisms to guarantee that all political ideologies will have a place in Colombian society. On a more basic level, it is committed to the ideal that those who once considered themselves mortal enemies will grow to see each other as political adversaries.[23] Item two of the agreement further calls for increased citizen participation in politics as well as enhanced political transparency. It contains measures to make it easier for those who have historically been excluded from the political arena due to their gender, ethnicity, or socioeconomic status to participate in all levels of politics. In a further effort to foster political pluralism, item two of the agenda states that the Colombian government will create 16 Special Transitory Peace Electoral Districts (STPED).[24] The purpose of the STPEDs is to give Colombia's most marginalized citizens the power to elect additional representatives to the House of Representatives for a temporary time frame. Apart from promoting political pluralism, item two expresses a strong commitment to the principle that no Colombian will ever again use weapons to achieve political goals.[25] It states that the nation's

[23] La Oficina del Alto Comisionado para la Paz, *El Acuerdo Final de Paz*, 15.
[24] The Office of the High Commissioner for Peace, *The Final Agreement,* 54-55.
[25] La Oficina del Alto Comisionado para la Paz*, Learn about the Peace Process in Colombia*, 2014, 8.

demobilized guerrillas will be guaranteed state protection so that they may participate in politics without the fear of becoming victims of violence.

End of the Conflict

The third item on the peace agreement's agenda provides a roadmap to the end of the conflict between the FARC-EP and the Colombian government. It established the conditions under which the Bilateral and Definitive Ceasefire and Cessation of Hostilities between the FARC-EP and the state took place and further provided a step-by-step procedure outlining the FARC-EP's disarmament and demobilization. Item three of the agenda stipulated that the FARC-EP had 180 days following the ratification of the peace accords to turn in all of their weapons to a United Nations (UN) verification force. For the sake of security, it was agreed that the disarmament and demobilization process would take place in Transitional Local Zones for Normalization (TLZNs). Upon entering the TLZNs, FARC-EP forces immediately received guarantees that the Colombian government would no longer attempt to capture or harm them. A one-kilometer security zone was established around each TLZN and as a rule no members of the Colombian armed forces or police were allowed to breach this area. These security protocols were meant to allay the FARC-EP's fears that following demobilization they would become victims of retributive violence. The concentration of FARC-EP forces in the TLZNs was merely a temporary measure. Item three of the agenda made it clear that the Colombian armed forces had the right to pursue military action against any member of the FARC-EP forces who refused to disarm and demobilize at the end of the 180-day transition period.[26]

[26] The Office of the High Commissioner for Peace, *The Final Agreement,* 69.

The third item on the Final Agreement's agenda also discusses the FARC-EP's transition to the political arena as well as the reintegration of its members into Colombian society. In an effort to facilitate the FARC-EP's evolution from a guerrilla group to a legal political party, item three of the agenda states that upon completing the demobilization and disarmament process the group would become the beneficiaries of state-sponsored funding and technical assistance. Furthermore, it was agreed that the group would be granted five seats in the Colombian Senate as well as five seats in the House of Representatives for two electoral periods beginning in July 2018.[27] This measure was included to ensure that the demobilized guerrillas had an adequate forum from which they could espouse their political beliefs.

In terms of social reintegration, item three of the agenda states that all demobilized guerrillas were eligible to receive financial support equivalent to 90 percent of the minimum wage for a two-year period.[28] It was also agreed that the ex-guerrillas would receive educational support, vocational training, health services including psychological treatment, and housing assistance as they transitioned to civilian life.[29] Item three also calls for the creation of the *Consejo Nacional de la Reincorporación*, a body made up of members of the national government as well as the FARC-EP, to oversee the process of social reintegration.

Solution to the Problem of Illicit Drugs

The architects of the Colombian peace accords recognized that a permanent solution to the nation's illicit drug economy was required in order to construct long-lasting peace throughout the country. Thus, in section four of the peace accords, the Colombian government developed what it describes as its "new vision" of dealing with the causes and consequences of the nation's

[27] Ibid, 72.
[28] Ibid, 77.
[29] La Oficina del Alto Comisionado para la Paz, *El Acuerdo Final de Paz*, 19.

illicit drug problem.[30] This vision calls for the creation of comprehensive voluntary crop substitution programs which are to be led by Colombia's president and carried out in coordination with the farmers and communities who are engaged in illicit crop production. Furthermore, as part of the program, rural Colombians are expected to sign a Non-Replanting Agreement in which they pledge to "commit to crop substitution, non-replanting and to not engage in any activity related to drug trafficking."[31] The crop substitution programs are to be accompanied by Comprehensive Rural Reform programs as well as DPTFS in an effort to address the structural causes of poverty, marginalization, and other factors that have driven rural Colombians into cultivating coca crops. Apart from crop substitution programs, section four of the agreement also expresses the Colombian government's commitment to strengthening its fight against the criminal groups that are involved in drug trafficking and money laundering in order to secure a "definitive solution" to the nation's illicit drug problem.[32]

The Ethnic Chapter

The "Ethnic Chapter" only consists of a handful of pages, yet its inclusion in the peace agreement is noteworthy for a variety of reasons. First, it acknowledges the high level of suffering that Colombia's ethnic groups have endured not just in relation to the armed conflict, but throughout all of Colombian history. It specifically recognizes that "historical conditions of injustice" stemming from colonialism, slavery, and racism have created circumstances in which Colombia's ethnic peoples have been systematically "dispossessed of their land, territories and resources."[33] Second, the "Ethnic Chapter" states that the peace accords must serve as a

[30] The Office of the High Commissioner for Peace, *The Final Agreement*, 105.
[31] La Oficina del Alto Comisionado para la Paz, *El Acuerdo Final de Paz*, 20.
[32] The Office of the High Commissioner for Peace, *The Final Agreement*, 107.
[33] Ibid, 217.

safeguard to protect ethnic groups' right to collective ownership over their lands and resources. Finally, the "Ethnic Chapter" establishes that every item on the peace accords' agenda must abide by an ethnic perspective. In other words, no aspect of the peace accords can be implemented in an ethnic community without the prior consent of the local inhabitants. This means that ethnic communities must be informed on all matters that apply to them and play an active role in designing every program that will be carried out in their communities. The "Ethnic Chapter" also stipulates that a special body comprised of ethnic peoples must be created to work alongside the Commission for Monitoring, Promoting and Verifying the Implementation of the Final Agreement (CMPVI) to verify the implementation of the agreement in ethnic communities.

The Rights of Victims

The purpose of the peace agreement was to not only disarm and reintegrate members of the FARC-EP, but to also address the rights of victims. As previously mentioned, one of the core features of the agreement is the principle that victims of the conflict have the right to truth, justice, reparations, and non-repetition. In terms of non-repetition item five of the agenda stands out because it underscores the importance of both preventing future outbreaks of violence and empowering victims of the conflict. It acknowledges that protecting the lives of victims is essential and that without personal security victims are unable to pursue their rights to truth, justice, and reparations.[34] Furthermore, item five of the agenda provides a clause for "guarantees of non-recurrence" and asserts that the peace agreement should be used to prevent future incidents of violence "in order to ensure that no Colombian will ever become a victim or face the risk of becoming one again."[35] In an effort to promote victims' access to truth, justice and

[34] The Office of the High Commissioner for Peace, *Learn About the Peace Process in Colombia*, 2014, 12.
[35] The Office of the High Commissioner for Peace, *The Final Agreement,* 133.

reparations the architects of the agreement created the Comprehensive system of Truth, Justice, Reparations and Non-Repetition (SIVJRNR). Three specific mechanisms were created under this label: the Tribunal and the Special Jurisdiction for Peace, the Commission for the Clarification of Truth, Coexistence and Non-Repetition, and the Special Unit for Searching for Disappeared Persons.

The Commission for the Clarification of Truth, Coexistence and Non-Repetition (commonly referred to as the Truth Commission) is an independent entity of the state that is extra-judicial in nature. It is comprised of an executive committee of 11 members, 12 macro territorial teams, and 20 Houses of Truth which are dispersed throughout the country.[36] The Truth Commission, which was formed in 2017, has been provided with a three-year mandate to investigate the causes of Colombia's prolonged conflict, the types of human rights abuses that were committed throughout it, and to clarify who was directly and indirectly responsible for the suffering inflicted on Colombian society.[37] At the end of 2021, it will produce a comprehensive report which is meant to shine light on the complex nature of the armed conflict, reflect the voices of both victims as well as perpetrators, promote coexistence, and help lay the groundwork for non-repetition.

The Special Jurisdiction for Peace (JEP) is a judicious entity that operates outside of the Colombian legal system. It is charged with investigating, clarifying, judging, and prosecuting what it describes as the "most serious" crimes committed in relation to the armed conflict prior to December 1, 2016.[38] Those who will appear before the JEP include former FARC-EP

[36] Special Jurisdiction for Peace, *Comprehensive System of Truth Justice Reparation and Non-Repetition (SIVJRNR),* n.d.
[37] Comisión de la Verdad, *¿Qué es la Comisión de la Verdad?* n.d.
[38] Special Jurisdiction for Peace, *What is the Special Jurisdiction for Peace (SJP)?,* n.d.

combatants, members of the Public Forces who have been charged with or investigated for crimes committed during the armed conflict, and third parties such as non-military state agents and third-party civilians.[39] The type of sentence that is meted out depends in large part on the offender's willingness to admit the truth. Those who are completely forthcoming regarding the crimes they committed are eligible to receive a special sanction based on the principle of restorative justice. This means that rather than go to prison they undertake tangible efforts meant to improve the lives of victims. These sentences last between five to eight years during which time the individual has "effective restrictions" placed on his or her liberty.[40] Those who do not tell the truth or accept responsibility for the crimes they committed in relation to the armed conflict will face prison sentences that last between 15 to 20 years.

The Unit for the Search of Disappeared Persons (UBDP) is charged with locating the estimated 100,000 people who went missing in relation to the armed conflict. To do so it will gather all available information then create a universal data base of missing persons. It will also work with the families of victims as well as human rights organizations. In the event that the missing individual is deceased the UBDP is responsible for returning the victim's remains to his or her family in a dignified manner along with an account of what happened to the victim.[41] The UBDP, which began its operations in August 2017, has 20 years to complete its mission. As of April 2020, 5,195 search requests had been submitted to the UBDP.[42] Like its counterparts, the UBDP is designed to be transparent and extra-judicial, meaning the information it obtains cannot be used in legal proceedings.

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[39] Ibid.
[40] Ibid.
[41] The Office of the High Commissioner for Peace, *The Final Agreement,* 150.
[42] Araceli Becerra, "Colombia's Unit for the Search of Disappeared Persons," *WOLA*, August 31, 2020, https://colombiapeace.org/colombias-unit-for-the-search-of-disappeared-persons/.

Implementation and Verification Mechanisms

Item six on the agenda outlines the implementation and verification component of the peace agreement. The primary body responsible for this task is the previously mentioned CMPVI which is comprised of three representatives from the national government as well as three representatives from the FARC-EP.[43] The CMPVI is accompanied by a special forum (*Instancia Especial*) made up of six representatives from national and regional women's organizations.[44] Its primary responsibility is to ensure that that the rights of women are respected throughout the implementation process. In addition to the special forum on gender, a special forum on ethnic rights was also created to certify that the Final Agreement had a positive impact on ethnic communities.

International bodies also play a key role in the implementation of the Final Agreement, perhaps none so much as the UN. The United Nations Verification Mission in Colombia was initially charged with overseeing the Bilateral and Definitive Ceasefire and Cessation of Hostilities between the FARC-EP and the Colombian government, as well as the demobilization and disarmament of the guerrilla combatants. More recently, the UN Verification Mission has been monitoring the reintegration of the former guerrillas as well as security related issues. The University of Notre Dame's Kroc Institute for International Studies has also been enlisted by the Colombian government to assist in the peace process. The Kroc Institute is responsible for providing technical verification of the implementation of the Final Agreement.[45]

[43] Ibid, 207
[44] Ibid.
[45] Kroc Institute for International Peace Studies, *Peace Accord Implementation in Colombia Continues to Progress Two Years In,*" April 9, 2019.

Indications of Success and Failure

One of the most visible indicators of the success of the Colombian peace process has been the disarmament and demobilization of former FARC-EP members as outlined in item three of the accords. Following the ratification of the peace deal, 6,934 ex-combatants left their jungle hideouts and relocated to 26 different transitional encampments where they began a 180-day process of voluntarily handing over their weapons to UN officials.[46] On August 15, 2017 the UN Verification Mission in Colombia reported that all weapons and ammunition had been removed from the FARC-EP's 26 transitional encampments and also noted that the contents of 510 out of 873 of the group's arms caches have been relocated to a government warehouse.[47] Additionally, the UN Mission team reported that more than 3,500 ex-combatants have transitioned to civilian forms of livelihood and that an additional 1,934 have participated in government sponsored reintegration programs.[48] Both the Colombian government and the UN Mission team view the completion of the disarmament process as a monumental achievement. At a ceremony celebrating the completion of the FARC-EP's disarmament former President Santos remarked "This is the best news for Colombia in 50 years – this is great news for peace."[49] Approximately two months later, the United Nations Security Council celebrated the FARC-EP and Colombian

[46] The Office of the High Commissioner for Peace, *Zonas Veredales Transitorias*, 2017.
[47] "UN observers conclude FARC-EP arms removal process in Colombia," *UN News,* August 16, 2017, https://news.un.org/en/story/2017/08/563392-un-observers-conclude-farc-ep-arms-removal-process-colombia.
[48] Ibid.
[49] Nicholas Casey and Joe Parkin Daniels, "Goodbye, Weapons!' FARC Disarmament in Colombia Signals New Era," *The New York Times*. June 27, 2017, https://www.nytimes.com/2017/06/27/world/americas/colombia-farc-rebels-disarmament.html#:~:text='%20FARC%20Disarmament%20in%20Colombia%20Signals%20New%20Era,-President%20Juan%20Manuel&text=MESETAS%2C%20Colombia%20%E2%80%94%20As%20United%20Nations,52%20years%20of%20guerrilla%20war.

government's "remarkable achievements" in constructing peace and referred to them as an "inspiration" for war torn nations.[50]

The success of the peace process has also been measured quantitively by the University of Notre Dame's Kroc Institute for International Studies. In a report published in June 2020, the Kroc Institute asserted that 74 percent of the stipulations established in the peace accords were under various phases of implementation. More specifically, the report indicated that 25 percent of the stipulations have been carried out to completion, 15 percent of them have reached an intermediate phase of progress and are expected to be completed by their prescribed deadline, 34 percent of the stipulations have been started but have made little headway, and 26 percent of the stipulations have not been implemented in any way.[51] The Kroc Institute's research shows that the majority of progress that has been made thus far relates to the Final Agreement's short-term goals such as the disarmament and demobilization of the former FARC-EP combatants as well as the creation of the mechanisms responsible for implementing and monitoring the items on the agreement's agenda. Additionally, all three components of the SIVJRNR are now operative which stands out as another notable short-term achievement. The Kroc Institute's report expressed alarm, however, that little has been done to increase political participation or to bridge the gap between the quality of life in rural and urban Colombia. It further warned that the peace process has reached a critical juncture as it transitions away from short-term projects and begins implementing the accords' long-term features.[52]

[50] "Security Council hails 'remarkable achievements' one year after peace deal between Colombian Government and FARC-EP," *UN News,* November 30, 2017. https://news.un.org/en/story/2017/11/637921-security-council-hails-remarkable-achievements-one-year-after-colombian-peace

[51] Kroc Institute for International Peace Studies, *State of Implementation of the Colombian Final Accord,* 2020.

[52] Ibid.

While members of the Colombian government, the United Nations, and the Kroc Institute have highlighted the successes of the peace process, others have noted that many key features of the accords have not yet been implemented. Some observers have attributed the lack of progress to President Ivan Duque's ideological opposition to the peace deal. During his presidential campaign, Duque was a vocal critic of Santos' negotiations with the FARC-EP, and he pledged to make radical changes to the Final Agreement. Although constitutional constraint prevented Duque from fulfilling his campaign promise, he has managed to undermine its headway by defunding crucial peace initiatives. In 2019, Duque cut the budgets for both the Agency for Territorial Renewal and the Rural Development Agency by 63 percent and 47 percent respectively.[53] More recently, Duque decreased funding for the Truth Commission's budget, leaving a deficit of approximately eight billion pesos between the costs of truth and justice initiatives and their current level of funding.[54] In addition to defunding peace initiatives, the Duque administration has also demonstrated its political indifference toward advancing agrarian reform. The Land Fund, the mechanism created by the accords to expand campesino's land ownership, has only distributed about 7 percent of the three million hectares it is charged with reallocating by 2028.[55] This is particularly alarming considering that land ownership is one of the root causes of Colombia's prolonged conflict and that rural reform is one of the cornerstones of the peace accords.

Pleasing landless campesinos and empowering victims of the conflict, both of whom lack significant political weight, seems to mean little to the Duque administration. Rather, Duque

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[53] Gimena Sanchez-Garzoli, "Ethnic Communities are the Pathway to Peace in Colombia's Abandoned Areas," *WOLA*, October 31, 2019, https://www.wola.org/analysis/ethnic-communities-pathways-peace-colombia/.
[54] Ibid.
[55] Andrea Fernández Aponte, "Peace Accord Implementation in Colombia: Urgent Need to Adhere to the Spirit of the Accords," *Latin America Working Group,* March 12, 2019, https://www.lawg.org/peace-accord-implementation-in-colombia-urgent-need-to-adhere-to-the-spirit-of-the-accords/.

appears to be primarily concerned with making advances in the reintegration of former FARC-EP guerrillas in order to appease the international bodies that are charged with monitoring the peace progress.[56] The importance of supporting reintegration has become all the more significant in light of the August 2019 decision by Iván Márquez, a former FARC-EP leader and one of the main negotiators of the peace agreement, to resume the armed conflict. Márquez is not alone in this decision. A growing minority of ex-guerrillas who have become disillusioned with peace process and angered at the rise of assassinations of former FARC-EP members have abandoned their commitment to peace and have formed new illegally armed groups. In response to this development, the international community has placed heightened pressure on the Colombian government to provide increased protection and social and economic support to former guerrillas. Yet, by focusing almost exclusively on reintegration, the international community has allowed the Duque administration to neglect the key features of the accords which address the root causes of the conflict. As Sergio Jaramillo, Colombia's High Commissioner for Peace noted, Colombia "cannot make the mistake of thinking this is just about disarming certain groups."[57] Rather, Jaramillo asserted "what is most important is what comes afterwards."[58]

Guaranteeing the safety of former FARC-EP combatants, social leaders, and human rights activists has proven to be the biggest challenge of the peace process to date. Throughout the first year of the peace process, 31 members of the former guerrilla group were assassinated.[59] In 2018 this number increased to 65, only to rise again in 2019 to 77 assassinations.[60] Within the

[56] Gimena Sanchez-Garzoli, "Ethnic Communities,"
[57] The Office of the High Commissioner for Peace, *Learn About the Peace Process in Colombia,* 17.
[58] Ibid, 16.
[59] John Otis, "Colombia's FARC Rebels Laid Down Their Weapons, But A Growing Number Are Being Killed," *NPR*, February 6, 2020, https://www.npr.org/2020/02/06/802764177/colombias-farc-rebels-laid-down-their-weapons-but-a-growing-number-are-being-kil.

[60] Ibid.

first ten months of 2020, 54 former guerrillas were killed.[61] Members of the Colombian government believe that the majority of these killings were carried out by the FARC-EP's former rivals and were motivated by revenge. Few perpetrators, however, have been brought to justice. To date, only 29 convictions have been made in connection to the string of killings.[62]

Social leaders and human rights activists have similarly become victims of targeted violence. In October 2020, the International Crisis Group published a report stating that at least 415 social leaders have been killed in the past four years.[63] The *Instituto de Estudios para el Desarrollo y la Paz*, a Colombian based NGO involved in fostering peace, believes the death toll is actually twice as high. It claims that 1,000 social leaders have been murdered since the peace accords were ratified, 194 of whom were killed in 2020 alone.[64] Interestingly, neither the Colombian government nor the United Nations have published a detailed record of attacks against social leaders. Although there is no consensus on the number of deaths, it is universally recognized that the bulk of the killings have occurred in rural areas of the country where drug trafficking and illegal mining remain prominent activities. Those committed to protecting the environment or defending communal land claims have often found themselves targeted by armed actors. Similar to the outbreak of violence directed at demobilized members of the FARC-EP, only a handful of arrests have been made in connection to the assassinations of social leaders and human rights activists. The Colombian government has responded to this trend of killings by providing some activists with bodyguards, while others have been relocated to other parts of the country. Critics argue that these security measures are reactionary at best and fail to address the

[61] Manuel Rueda, "Colombia Farc: The former rebels who need bodyguards to stay safe," *BBC*, November 3, 2020, https://www.bbc.com/news/world-latin-america-54778291.
[62] United Nations Security Council, *United Nations Verification Mission in Colombia,* 2020, 9.
[63] The International Crisis Group, *Leaders under Fire: Defending Colombia's Front Line of Peace*, October 6, 2020.
[64] Indepaz, "#PazParaLiderar," 2020, http://www.indepaz.org.co/wp-content/uploads/2020/08/1.000-L%C3%8DDERES.pdf.

embedded state of violence in Colombian society. Others believe that the proliferation of assassinations shows that violence is still a normal part of Colombian politics, and that the death of each activist represents a blow to Colombian democracy.

Chapter One Conclusion

The 2016 peace agreement sought to end the conflict with the FARC-EP and address the conditions which fueled the group's insurgency movement. From a broader perspective, the items on the Final Agreement's agenda were designed to transform the regions that were most affected by the armed conflict in attempt to prevent future outbreaks of violence. In its early stages, the Colombian peace process enjoyed certain short-term successes such as the disarmament and demobilization of the majority of the former guerrilla forces. Yet, on a national scale, Colombia's peace process has been marred by the growing number of murdered social leaders, human rights activists, and former members of the FARC-EP. Monitoring organizations have also warned that Colombia has entered a critical stage in its peace process as it transitions away from short-term projects and moves toward long-term, structural changes such as crop substitution programs and the DPTFS. For the department of Chocó, there are many questions that hang in the air regarding the future of the peace process in the department. Can the state finally establish a meaningful presence in the region and work with local ethnic communities to improve the overall quality of life there? Can the state dismantle the illegally armed groups that continue to victimize the region's inhabitants? Can the 2016 agreement provide the state with the impetus it needs to finally bridge the gap between the tangible and ideological differences that have divided Chocó from the rest of the nation since the colonial era? The next five years will bring these answers to light.

Chapter Two:

Chocó: "The African Heart of Colombia"

Few regions of Colombia are as rarely visited by outsiders as the department of Chocó. Situated in a remote part of the country that is difficult to access by land, Chocó is an area that has historically been abandoned by the Colombian state. Since the colonial era, government officials have demonstrated little interest in developing the region or in incorporating it into Colombia's mainstream national identity. As a result of this neglect, Chocó has fallen victim to a multitude of social problems ranging from economic poverty to armed conflict. This chapter explores some of the department's defining characteristics as they relate to the armed conflict including Chocó's geographic location, topographic features, demographic makeup, colonial legacy, economic activity, and its relationship with the national government.

Chocó's Characteristics

The department of Chocó is located in the northwestern corner of Colombia. It is made up of 46,530 km² of land and it is the only territory in Colombia that has access to both the Pacific and Atlantic Ocean. The northernmost extreme of the department shares a border with the Republic of Panama as well as the Gulf of Darien whereas the southern limit shares a border with department Valle del Cauca. The western border of Chocó runs along the departments of Antioquia, Risaralda, and Valle del Cauca while to the east of Chocó lies the Pacific Ocean. In terms of government administration, Chocó is made up of five subregions which contain a total of 30 municipalities. Chocó's capital, Quibdó, which is located along the Atrato river, is the most populated city in the department with 116,256 residents.[65] Istmina, which is the second most populated city in the department, is located along the San Juan river and is inhabited by 23,359

[65] Función Pública, *Chocó: Ficha de Caracterización Departamental*, July 30, 2019.

people.[66] These are the only two cities in the department that have a population over 20,000 inhabitants. Highly populated urban centers are not common in the region. Rather, Chocó is characterized by its dispersed population and riparian communities. A government census found that in 2019 more than half of the department's population lived in rural settings.[67]

Chocó's population stands out in Colombia due to its high concentration of Afro-Colombians and Indigenous peoples. As of 2019, Chocó had a total population of 520,296 people.[68] Chocó's regional government defines its population in the following way: 75.68 percent are either Afro-Colombians or Black, 11.9 percent are considered Indigenous or Amerindian, 7.42 percent are mixed race, and 5.01 percent are white.[69] Although the department is predominantly inhabited by Afro-Colombians, multiple Indigenous tribes reside throughout various parts of Chocó including the Wounaan, Emberá, Katíos, and the Kunas.

Chocó's ethic makeup, particularly its blackness, represents a source of personal and collective pride for the department's inhabitants. Luis Gilberto Murillo Urrutia, a former governor of Chocó, proclaims that *Chocoanos* can hold their heads high knowing that they live in "the African heart of Colombia."[70] Similarly, anthropologist Peter Wade notes that Chocó has long been a "locus of black community [and] black resistance." Wade suggests that following the abolition of slavery many Blacks chose to remain in Chocó because of the unique opportunities that it offered them. With few whites or government officials present in the department, and with ample land available for settlement, Chocó offered Blacks a chance to live off of the land

[66] Municipios de Colombia, *El municipio de Istmina*, n.d.
[67] Función Pública, *Chocó: Ficha.*
[68] Ibid.
[69] Gobernación del Chocó, *Información general*, September 9, 2019.
[70] Luis Urrutia, "El Choco: The African Heart of Colombia," *The Journal of Pan African Studies* Vol. 8, No. 2 (July 2015): 256-260.

without being subjected to intense racial discrimination. As such, it became a safe haven from racial prejudice for the region's Black inhabitants, and one of the few places in Colombia where Blacks have been able to preserve their African heritage.

To many outsiders, however, Chocó's ethnic makeup stands as an indication of the region's underdevelopment. Wade states that in Colombia's racial hierarchy blackness is often associated with low social standing.[71] He additionally notes that "misery… an inhospitable climate and terrain … [and] blackness" are the three dominant characteristics that outsiders associate with Chocó, often leading them to express a sense of disbelief that *Chocoanos* are able to survive in what is perceived as such an inhospitable climate.[72] These sentiments are echoed by Vergara Figueroa who similarly found that Chocó has traditionally "been represented economically as poor, racially as black and Indigenous, … and politically, socially and culturally as 'backward."[73] Such perceptions have discouraged outside investment in the region. They have also led to a negative exoticization of Chocó in which the regions inhabitants stand out for their ability to live in a climate that is considered unsuitable for most whites.

Chocó is also known for being one of the most biodiverse places in the world in terms of flora and fauna, and it is often characterized by its lush vegetation, humidity, and numerous rivers. Approximately 80 percent of Chocó is covered by tropical rainforests which, along with the region's marine ecosystems, contain 10 percent of the planet's biodiversity.[74] These forests are traversed by three dominant rivers: the Atrato, San Juan, and Baudo as well as eight smaller

[71] Peter Wade, Blackness and Race Mixture: The Dynamics of Racial Identity in Colombia (Baltimore: The Johns Hopkins University Press, 1993), 146.
[72] Ibid, 97.
[73] Aurora Vergara-Figueroa, *Afrodescendant Resistance to Deracination in Colombia: Massacre at Bellavista-Bojayá-Chocó*, (Cali: Springer International Publishing AG, 2018), 49.
[74] Defensoría del Pueblo, *Problemática humanitaria en la Región Pacífica Colombiana*, 2016.

rivers. Of the previously mentioned rivers, the Atrato and the San Juan are arguably the most important in the region due to their geographic locations. The Atrato river, which flows northward, stretches from central Chocó to the Gulf of Darien. It serves as the primary aquatic highway in the region. Contrarily, the San Juan river, which is located in southern Chocó, empties out into the Pacific Ocean. Chocó further stands out for the amount of annual rainfall it receives. Not only is it the recipient of more annual rainfall than any other region in Latin America, but Chocó routinely contends with the Cherrapunji and Mawsynram provinces in northeastern India for the title of the rainiest place in the world.[75]

Colonial Legacy

Both Chocó's administrative shortcomings and its unique ethnic makeup stem in large part from its colonial legacy. Unlike other parts of Colombia, members of the Spanish crown were not drawn to Chocó by a desire to settle the region but rather came to extract its wealth.[76] Initially put off by the bellicose nature of the local Indigenous population, white colonists began arriving to what is now present-day Chocó in the late sixteenth century motivated by a desire to exploit the region's vast gold deposits. Unable to rely solely on forced Indigenous labor, white colonists started to import enslaved Africans to the region in the early seventeenth century to engage in the work which they were unwilling to do themselves. The introduction of slaves to Chocó, along with the devastating effect that colonial practices had on the local Indigenous population, markedly altered the region's demographics. Whereas it is believed that as many as 60,000 Indigenous people inhabited Chocó in the seventeenth century, by the end of the

[75] Óscar David Andrade Becerra, Alen Castaño, and Lina Díaz, *Pacífico Norte: Laboratorio de Violencia Paramilitar, Dinámicas Históricas y Territoriales del Conflicto Político, Social y Armado 1958-2016,* 2019, 65.
[76] William Frederick Sharp, *Slavery on the Spanish Frontier,* (Norman: University of Oklahoma Press, 1976), 4.

eighteenth century enslaved and free Blacks constituted the overwhelming majority of the region's population.[77] Whites, on the other hand, made up a small fraction of the region's inhabitants. Due to its inhospitable climate, few whites chose to permanently settle in Chocó. Instead, most mine owners remained in prominent cities such as Popáyan, Cali, and Santa Fe de Bogotá, entrusting the success of their operations to local supervisors.[78] Those whites who did live in the region sought to strike a quick fortune and then relocate to more comfortable urban settings. As such, colonists showed little interest in developing the region's infrastructure or its administrative capacities. Rather than cultivating organized communities, whites constructed scattered mining settlements which were designed merely to serve their immediate interests.[79] This practice inhibited the growth of urban centers, undermined advances in civic projects, and harmed the local economy. Today, Chocó is still treated as a region from which to extract wealth rather than a place in which to cultivate it.

Economic Activity

Another factor which has impeded development in Chocó has been the department's chronic inability to diversify its economic activity. Throughout its history, Chocó's regional economy has been based heavily on extraction-oriented ventures. This trend is in large part a consequence of the department's inability to make headway in commercial agricultural projects, livestock trade, or industrial production. Although Chocó has historically suffered from an absence of state and private investment, much of the department's economic limitations stem from its climate, topography, and location. As previously mentioned, the department of Chocó is

[77] Ibid, 20
[78] Ibid, 18.
[79] Ibid, 24

considered one of the rainiest places in the world. The unusually high level of precipitation that Chocó receives has had an adverse impact on the quality of soil found throughout the region. In fact, approximately 68 percent of the department's soil has been characterized as either low or very low quality which in turn has limited prospects for commercial agricultural production.[80] Thus, those who do engage in agricultural activity throughout the department tend do so for subsistence rather than commercial purposes. Crops that have traditionally been grown in the department include plantain, cassava, rice, banana, malanga, soursop, star apples, and *borojó*.[81] The inhabitants of Chocó have similarly found themselves unable to engage in cattle ranching given that the department's grass is not suitable for grazing.[82] The potential of these industries has further been hindered by the region's landscape. With some 80 percent of the department's land covered by dense tropical forests, there is little space available for large scale agricultural or livestock ventures.

The department of Chocó's economic growth has also been undermined by its limited number of paved roads. Out of all of Colombia, Chocó has the lowest number of paved roads per 100 km² as well as the lowest number of paved roads per 100 inhabitants.[83] This problem is clearly illustrated by the absence of a road connecting the interior of Chocó to the Pacific Coast, something the department's inhabitants have long called for. Those roads that do exist are poorly maintained and are susceptible to mud slides. These factors make travel both within and outside of the department dangerous and unreliable. For example, despite that only 136 kilometers separate Quibdó from Medellín, the average bus ride takes roughly 18 hours whereas one can

[80] Jamie Bonet, "¿Por qué es pobre el Chocó?" *Documentos de trabajo sobre Economía Regional, No.90* (2007) 26.
[81] Robert C. West, *The Pacific Lowlands of Colombia: A Negroid Area of the American Tropics* (Baton Rouge: Louisiana State University Press, 1957) 149-152.
[82] Jamie Bonet, "¿Por qué es pobre el Chocó?", 26.
[83] Ibid, 29

arrive via plane in 30 minutes.[84] Due to Chocó's limited number of paved roads, many parts of the department can still only be accessed by boat or plane.

Historically, the region's contributions to the national economy have been insignificant and this continues to be true today. In 2018, Chocó's economic output accounted for only 0.38 percent of Colombia's overall Gross Domestic Product.[85] Recent data has shown that gold still accounts for the overwhelming majority of exports leaving Chocó, highlighting the absence of other markets within the department. For example, throughout the first seven months of the 2020 fiscal year gold represented 97.1 percent of the region's exports while its second largest principal product, *madera aserrada*, accounted for just 1.9 percent of total exports.[86] Interestingly, while gold stands out as the department's primary good, only 2.8 percent of the department's formal workforce was employed in the mining sector.[87] Manufacturing similarly accounted for a mere 3.7 percent of the department's workforce, while just 8.3 percent of workers were employed in the construction sector.[88] As of 2020, more *Chocoanos* were employed in activities related to automotive sales and repairs (23.2 percent) as well as public defense and administration (21.3 percent) than any other economic sector.[89] These figures illustrate the stagnant nature of Chocó's economy and underscore the region's lack of industry.

Living Conditions

The inhabitants of Chocó have long been considered some of the poorest people in Colombia and recent data demonstrates that this remains true today. In 2018, Chocó recorded the

[84] Ibid.
[85] Oficina de Estudios Económicos, *Información: Perfiles Económicos Departamentales*, September 2020
[86] Ibid.
[87] Ibid.
[88] Ibid.
[89] Ibid.

highest levels of poverty in all of Colombia. A report filed by the *Departamento Administrativo Nacional de Estadística* (DANE) found that whereas 27 percent of Colombia's overall population was classified as living in monetary poverty, 61.1 percent of the inhabitants of Chocó belonged to this category.[90] From 2017-2018, the number of *Chocoanos* living in monetary poverty increased from 58.7 percent to 61.1 percent, with only the department of Caquetá recording a higher increase of poverty.[91] Chocó also led the nation in the category of extreme poverty. In 2018, 7.2 percent of the national population lived in extreme poverty, yet in Chocó this condition affected 34.5 percent of the population.[92] The number of *Chocoanos* who had access to basic public services in 2018 also fell well below the national average. In Chocó, only 28.5 percent of homes had access to treated water while just 20.4 percent of them had plumbing connected to a sewage system.[93] The national average for both of these services was 86.4 percent and 76.6 percent, respectively.[94] Additionally, while 96.3 percent of the households across Colombia had running electricity, in Chocó this was only true of 75.8 percent of households.[95]

Chocó's abnormally high poverty rates can partially be understood as a consequence of limited employment opportunities. In 2019, Chocó's unemployment rate stood at 12.0 percent, representing an increase of 2.4 percent from the previous year.[96] Only five other departments recorded higher unemployment rates.[97] In Quibdó, the department's capital, employment figures are even more grim. Since 2015, Quibdó's unemployment rate has remained above 18 percent,

[90] DANE Información para Todos, *Pobreza monetaria por departamentos en Colombia: Año 2018,* 2019, 7-8.
[91] Ibid, 9.
[92] Ibid, 17.
[93] DANE Información para Todos, *Resultados Censo Nacional de Población y Vivienda 2018 Riosucio, Quibdó, Chocó*, 2019.
[94] Ibid.
[95] Ibid.
[96] DANE Información para Todos, *Boletín Técnico Gran Encuesta Integrada de Hogares (GEIH)*, 2019.
[97] Ibid.

which is almost two times higher than the national average.[98] Young people in the capital have been hit particularly hard as youth unemployment has fluctuated between 25 and 30 percent since May 2018. The absence of formal employment opportunities has forced many *Chocoano* workers to turn to the informal sector to earn a living. In 2018, the Colombian body DANE reported that 90.3 percent of Chocó's workforce was engaged in the informal economy.[99]

Chocó also lags behind the rest of the nation in terms of educational standards and enrollment. A 2014 government report found that only 58 percent of *Chocoano* youth were enrolled in school and it further revealed that one out of every five people in the department had no educational background.[100] Enrollment in secondary school and higher education were particularly low, each registering at 25.8 percent and 7.3 percent, respectively.[101] Furthermore, illiteracy rates in Chocó continue to be alarmingly high. In 2018, the DANE announced that Colombia's national illiteracy rate had dropped to 5.24 percent.[102] That same year, the department of Chocó reported that 25.6 percent of its inhabitants remained illiterate.[103]

The outbreak of the Covid-19 pandemic has created additional barriers to youth education. The department's Secretary of Education, Hárold Ramírez, announced in June 2020 that none of the department's schools were able to provide the sanitary services needed to ensure

[98] Juan David Naranja, "El Pacífico lleva años con desempleo de pandemia," *Semana Rural*, July 3, 2020. https://semanarural.com/web/articulo/el-pacifico-lleva-anos-con-desempleo-de-pandemia/1503
[99] DANE Información para Todos, *Pobreza multidimensional Región Pacífica (sin incluir Valle del Cauca): Departamento de énfasis: Chocó*, 2018, 5.
[100] "Las cifras que tienen indignado al Chocó," *El Tiempo*, August 21, 2016. https://www.eltiempo.com/colombia/otras-ciudades/las-cifras-que-tienen-indignado-al-choco-28264
[101] Ibid.
[102] Mineducación, *Tasa de analfabetismo en Colombia a la baja*, April 4, 2020.
[103] DANE Información para Todos, *Pobreza multidimensional,* 5.

that students could regularly wash their hands.[104] Additionally, the majority of the department's classrooms were not large enough to permit students to practice social distancing.[105] Unlike other areas throughout Colombia, Chocó has struggled to transition to online learning from home as just 14 percent of households throughout the department have internet connection.[106] In addition to these logistical problems, heightened economic insecurity related to the pandemic has caused more children to abandon their studies and pursue work in an effort to support their families.[107] Thus, the Covid-19 pandemic has not only interrupted the educational process, but it has also brought the department's institutional inadequacies to the forefront.

Chocó and the National Government

Chocó was officially designated a department on November 3, 1947, thanks in large part to the efforts of Diego Luis Córdoba. Considered the founder of the department, Córdoba overcame legislative hurdles and ingrained prejudices in the Colombian legislature in his quest to elevate the status of his native Chocó. According to the 1886 Constitution, any territory which wished to be granted the title of department needed to have at least 250,000 inhabitants and generate 500,000 pesos worth of annual income.[108] The territory of Chocó did not meet either of these requirements. Yet Córdoba, who was both a gifted parliamentarian and a celebrated orator, convinced his peers in the Colombian legislature to modify the Constitution so that Chocó could be recognized as a department despite its shortcomings. Córdoba's legislative accomplishment meant that for the first time in its history Chocó was placed on equal footing with the rest of the

[104] María Paula Ardila, "Colegios de Chocó: sin infraestructura, internet, ni agua potable las 24 horas del día," *El Espectador*, June 29, 2020. https://www.elespectador.com/noticias/nacional/colegios-de-choco-sin-infraestructura-internet-ni-agua-potable-las-24-horas-del-dia/
[105] Ibid.
[106] DANE Información para Todos, *Resultados Censo*.
[107] María Paula Ardila, "Colegios,"
[108] César E. Rivas Lara, *El Chocó Que Colombia Desconoce*, (Medellín: Editorial Lealon, 2012), 97.

nation. It further granted Colombia's largest ethnic population with the right to govern their own territory, a development which was considered a significant step toward racial equality.

Chocó's newfound status as an independent department came into jeopardy in September 1954 when the Colombian dictator Gustavo Rojas Pinillas announced his plan to dismember Chocó and divide the territory amongst its neighboring departments.[109] *Chocoanos* developed a two-pronged response to this threat: they organized a massive civic strike and also petitioned the Colombian legislature to reaffirm their right to exist as an independent department.[110] This was the first of many events which would pit the department's inhabitants against the national government in a fight for recognition and dignity. Throughout the ensuing decades, the inhabitants of Chocó organized several civil strikes in an attempt to improve their department's infrastructure and secure better treatment from the national government.

Within one year of the ratification of the peace accords, two prolonged civic strikes were organized in Chocó to challenge state neglect. In August 2016, a nine-day long civic strike was carried out throughout the department to protest the myriad problems plaguing the region. Organized by the *Comité Cívico por la Salvación y la Dignidad del Chocó*, the strike was designed to force high-level government officials to meet with the department's representatives to develop tangible solutions to Chocó's longstanding humanitarian crisis.[111] Negotiations were specifically conducted over the following themes: delays in the completion of major road projects, the poor condition of the department's only hospital, embedded corruption in local business and government, the state's failure to expand community access to aqueducts and

[109] Ibid, 115.
[110] Ibid, 115-116.
[111] El Tiempo, "Las cifras,"

sewage systems, and the culture of extorsion.[112] As the department's representatives explored viable solutions with state officials, the *Chocoano* masses took to the streets in peaceful rallies to raise national awareness over the issues which had historically been ignored by those in power. Widespread participation in the social strike revealed *Chocoanos'* shared sense of indignation over the precarious social situation which characterized life in the department. For many, the presence of illegally armed groups, the poor quality of the department's infrastructure, the alarmingly high levels of poverty, and the prominence of illicit economies served as clear evidence that the government had turned its back on Chocó.

The civic strike also posed the question whether the nation's largest ethnic population had been treated as full-fledged citizens. Were they afforded the same rights, opportunities, and sense of dignity as those who had lighter skin and a more easily identifiable European heritage? Had they been fully incorporated into Colombian society or did they remain physically and ideologically cut off from the rest of the nation? In response to the concerns raised by the local leaders, representatives from the Santos administration agreed upon a ten-point agenda. As a sign of their commitment to the department, the accord established a permanent committee made up of both local actors and high-raking government officials to oversee the completion of each project.

Nine months after the agreement was reached, however, members of the *Comité Cívico por la Salvación y la Dignidad del Chocó* determined that the government was not respecting the commitments it had made to Chocó prompting the initiation of a second strike. Once again, Chocó's inhabitants took to the streets and paralyzed the department's economy. *Chocoanos*

[112] Ibid.

proved to be so committed to the cause that the follow up civic strike lasted nearly twice as long as its predecessor. Eventually, representatives from the national government agreed to increase funding for local development projects persuading local leaders to suspend the strike. These episodes provide insight into the tense relationship between the national government and the inhabitants of Chocó as Colombia began its peacebuilding process. Marginalized, isolated, abandoned, yet proud, *Chocoanos* have embraced the civic strike as an effective means of challenging state neglect. The fact that *Chocoanos* must resort to civic strikes to be heard by the nation suggests that the region and its inhabitants have remained in the periphery of Colombian society.

Origins of the Conflict in Chocó

Throughout the past four decades, the department of Chocó has been the scene of ongoing armed conflict between guerrilla groups, paramilitary structures, and state security forces. To many outsiders, Chocó is seen as one of the most violent and insecure regions in all of Colombia. Yet both local inhabitants and scholars have routinely noted that the conflict was brought to the department of Chocó rather than originating in it. This is an important clarification because it reveals that while the region is often perceived as a conflict zone, the armed groups operating in Chocó are not local organizations nor are they made up primarily of *Chocoanos*. Rather, armed groups have come to Chocó from neighboring departments to exploit its natural resources, control its illicit economies, and consolidate their power. In the process, Chocó's civilian population have been exposed to virtually every form of violence imaginable. This section will provide a brief overview of the history of the armed conflict in the region in the years leading up to the ratification of the peace accords.

Armed groups first began arriving to Chocó in the 1980s starting with the FARC-EP. In 1985, the FARC-EP 34th front expanded its activity outside of the neighboring department of Antioquia into Riosucio, Chocó, located in northern part of the department partly along the border with Panama, as well as in the department's capital.[113] By the end of the decade, five other FARC-EP fronts had taken root throughout the department.[114] The ELN quickly followed suit, establishing multiple fronts in northern and central Chocó by the end of the 1980s as well. The relationship between the two guerrilla forces in the region often fluctuated. At times, the groups' common interests brought them into direct confrontations, yet when it was to their mutual benefit to work together or avoid hostilities the guerrillas proved themselves capable of entering into temporary partnerships.

The guerrilla expansion into Chocó was motivated by a variety of factors. To begin with, historic conditions of poverty, racial exclusion, and state abandonment gave reason to believe that Chocó's discriminated population would likely be sympathetic to the guerrillas' cause. Based off of the available literature, it is not clear how many *Chocoanos* chose to take up arms against the state nor is it clear to what extent the guerrillas' forces were made up of Afro-Colombians and Indigenous peoples. Apart from seeking local support, insurgent groups came to Chocó to take advantage of the region's topographical makeup and geographic location. Chocó's network of rivers and dense jungle terrain provided ideal conditions for insurgent operations. Guerrilla forces could easily strike at an isolated police or military outpost, or temporarily occupy a rural hamlet, then disappear into the jungle before Colombia's armed forces were able to respond.

[113] Comisión Interétnica de la Verdad, *IMPACTOS ÉTNICO-TERRITORIALES DEL CONFLICTO EN EL CHOCÓ*, 2019, 20.
[114] Ibid.

The guerrillas' activities in Chocó were varied. For example, the FARC-EP fronts that were active in Chocó often attempted to fill the role of the absent state by assuming the responsibilities of a governing force. To this end, the guerrillas punished criminals, organized mandatory "revolutionary meetings" for local communities, and also provided *Chocoanos* with alleged protection from exploitative capitalist interests.[115] In a similar vein, the FARC-EP taxed the logging and mining interests, as well as the drug traffickers, that operated in the region.[116] At the same time, the FARC-EP also launched attacks on Colombia's police and armed forces and similarly intimidated local government officials. For example, in 2002, the *Chocoano* municipality of Bojayá had neither a permanent police force nor a sitting mayor as both had been forced to abandon the area by the FARC-EP.[117]

In addition to carrying out armed attacks against the state, the guerrillas also inflicted harm on Chocó's civilian population. No event better illustrates the suffering that the FARC-EP inflicted on the department of Chocó more so than the notorious Bojayá massacre. On May 2, 2002, a projectile launched by the FARC-EP struck a church which was occupied by some 300 civilians killing 79 of them including 48 minors.[118] This tragedy occurred in the midst of a prolonged armed confrontation between the FARC-EP and members of the AUC as both groups fought for control of the region. Altogether it is believed that close to 119 people were killed and hundreds more were injured in the confrontation between the two groups.[119] Moreover, roughly

[115] Mieke Wouters, "Ethnic Rights under Threat: The Black Peasant Movement against Armed Groups' Pressure in the Chocó, Colombia," *Bulletin of Latin American Research Vol. 20, No. 4* (October 2001): 508.
[116]Centro Nacional de Memoria Histórica, *Bojayá: La Guerra Sin Límites* (Bogotá: Taurus, 2010), 167.
[117] Ibid, 18.
[118] Centro Nacional de Memoria Histórica, *Bojayá,* 92.
[119] "¿Cómo fue la tragedia de Bojayá?," *Semana,* May 13, 2002, https://www.semana.com/como-fue-la-tragedia-de-bojaya/50635/.

1,744 families fled their homes in terror.[120] To date this stands as one of the deadliest single incidents of Colombia's drawn-out armed conflict.

In the second half of the 1990s the dynamics of the local power struggle altered dramatically with the arrival of paramilitary forces to the region. Originating from departments such as Antioquia, Córdoba, and Valle de Cauca the paramilitary forces came to Chocó for two primary purposes: to conduct counterguerrilla operations and to protect the financial interests of economic elites. Regarding the former, the paramilitaries engaged in a form of "social cleansing," murdering or disappearing those who were accused of collaborating with guerrilla groups or their political parties.[121] In terms of the latter, it is widely believed that paramilitary forces in Chocó both exploited and displaced local communities to serve the interests of lumber companies, mining interests, drug cartels, and the palm oil industry.[122]

Scholars and community leaders alike have noted that the arrival of paramilitary forces to Chocó coincided with the Colombian state's decision to grant collective land ownership rights to Black communities located in the Pacific Coast region. In the early 1990s, the Colombian government undertook legislative action that strengthened Afro-Colombians' civic rights. In 1991, a new constitution was implemented which described Colombia as a pluri-ethnic and multicultural country. It further recognized Afro-Colombians as an ethnic minority group challenging the long-standing perception that only Indigenous people had the right to claim this title.[123] Later, in 1993, the state passed Law 70, commonly referred to as the Law of the Black Communities, which established the legal framework by which Afro-Colombians could claim

[120] Aurora Vergara-Figueroa, *Afrodescendant Resistance,* 54.
[121] Centro Nacional de Memoria Histórica, *Bojayá,* 37-39.
[122] Ibid, 160-161.
[123] Kiran Asher, "A Retrospective Look at the Winding Paths to Legalizing Afro-Colombian Rights in Law 70 of 1993," *Revista de Estudios Colombianos No. 47* (January-June 2016): 72.

collective ownership over the Pacific Coast's riparian zones. Both Wouters and Oslender assert that Law 70 had a dual impact on Chocó. From one perspective, it empowered Afro-Colombians by granting them greater civic rights, yet it also allegedly marked the beginning of protracted paramilitary incursions and a series of largescale incidents of forced displacement. Prior to the issuance of the collective land titles, the territories in question were considered *baldías* or empty, despite that they were inhabited by numerous Afro-Colombian communities.[124] This in turn made it easy for outside economic interests such as mining and timber companies to obtain state contracts to exploit Chocó's natural wealth.[125] Law 70 provided mechanisms to ensure that *Chocoanos* became the rightful owners over the region's lands and resources, and by 1996 the department's riparian communities began receiving titles to large tracts of communal land. Although it is not clear how much land has currently been deeded to Afro-communities throughout Chocó, Offen's research shows that by 2003 some 2,877,833 hectares of land had been titled to 584 *Chocoano* communities.[126]

Oslender, Wouters, and Vergara Figueroa argue that this development clashed with outsiders' economic interests in Chocó, particularly those who hoped to develop palm oil plantations in the region. In order to regain access to the region's land, these scholars allege that economic forces partnered with paramilitary groups who then engaged in a campaign of terror designed to displace the newly empowered Afro-Colombian communities. The numerous incidents of massive displacement that occurred in the aftermath of Law 70 make such allegations hard to dispute. From 1985 to 1995, there was a combined total of 14,143 registered

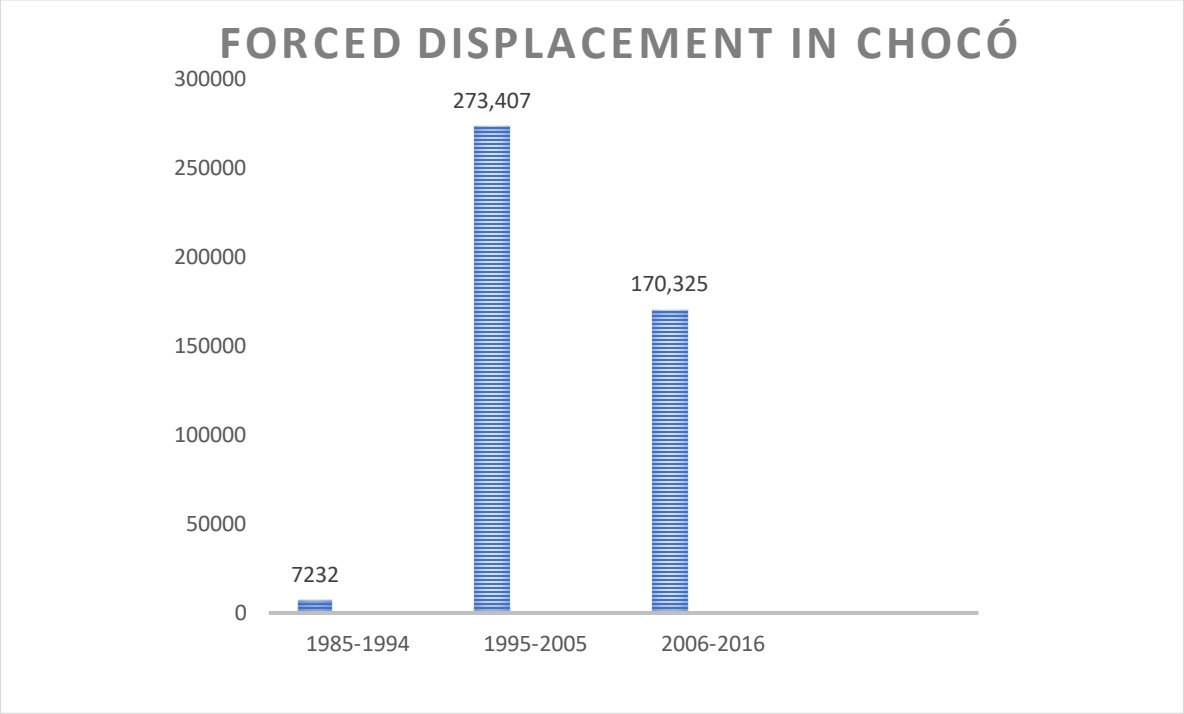
[124] Ibid, 69.
[125] Ulrich Oslender, "Violence in Development: The Logic of Forced Displacement on Colombia's Pacific Coast," *Development in Practice, Vol. 17, No. 6,* (November 2997): 754.
[126] Karl Offen, "The Territorial Turn: Making Black Territories in Pacific Colombia," *Journal of Latin American Geography Vol. 2 No. 1,* (2003): 46.

victims of forced displacement in Chocó.[127] In 1996, there were 12,477 registered victims of forced displacement in the department, a number which shot up to 69,027 in 1997.[128] Coincidentally, there were 31 registered paramilitary acts in Chocó, the highest number to occur between 1994 and 2006.[129] In the years that followed, Chocó went on to experience one of the highest levels of displacement in all of Colombia.

The Colombian military campaign known as "Operation Genesis" is generally considered the beginning of the long-term process of deracination in Chocó. In February 1997, the Colombian military initiated "Operation Genesis" to recapture the middle Atrato and Riosucio regions of Chocó from the FARC-EP's 57th and 34th fronts. The Colombian military coordinated its campaign with members of the AUC paramilitary group who launched a simultaneous attack on the FARC-EP known as "Operation Cacarica." Throughout the joint campaign, armed confrontations between the FARC-EP, the Colombian military, and the paramilitary forces were limited. Instead, the local civilian population ended up bearing the brunt of the violence. As the Colombian military conducted aerial bombardments, members of the AUC carried out massacres, threats, and the public execution of at least one local civilian. Somewhere between 14,000-17,000 people were displaced during these operations.[130] Years later, the Inter-American Court on Human Rights of the Organization of American States investigated the events that took place during "Operation Genesis" and found that the Colombian state was complicit in the largescale incident of forced

[127] Red Nacional de Información, *Víctimas del conflicto armado: personas afectadas por año*, 2019.
[128] Ibid.
[129] Nicolás Espinosa, "Impactos del Paramilitarismo en la Región Urabá/Chocó 1998-2006. Claves para la Lectura de las Afectaciones Colectivas," *Ágora U.S.B Vol. 12, No. 2* (2012): 304.
[130] Mieke Wouters, "Ethnic Rights under Threat," 508.

displacement.[131] "Operation Genesis" and the Bojayá tragedy symbolize not just the brutality of the armed conflict in Chocó but also the vulnerability of the department's inhabitants.



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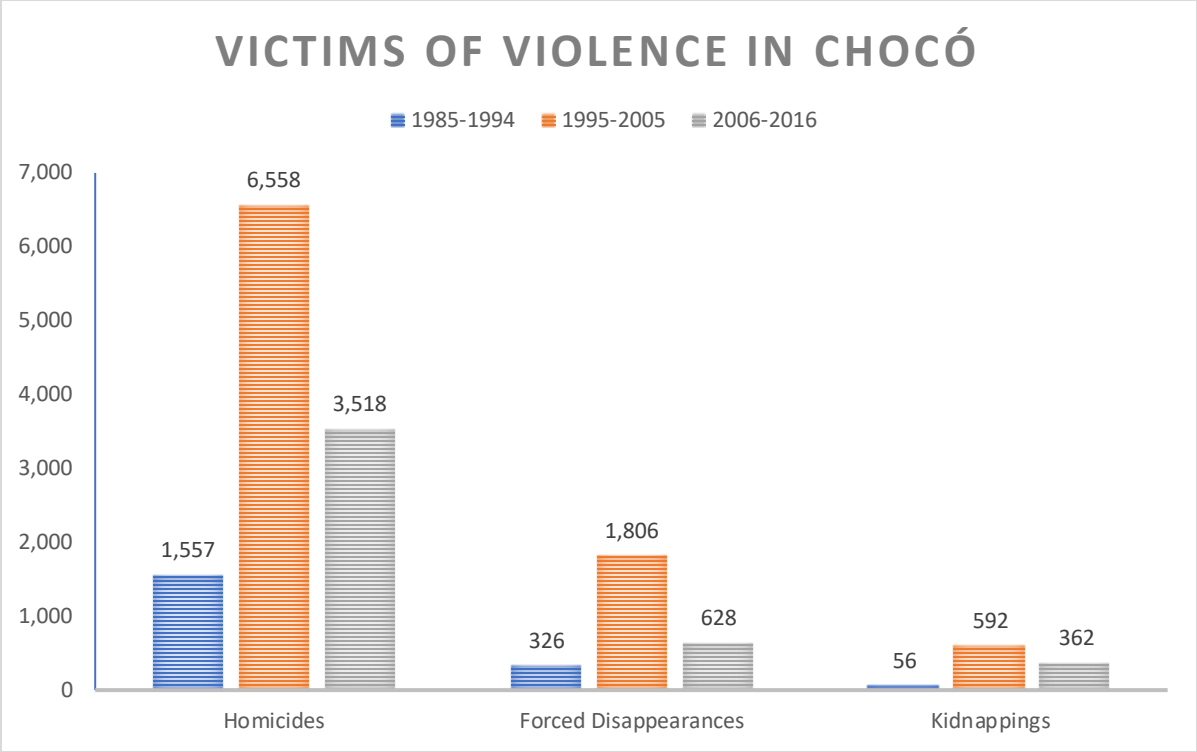
[131] "Estado no protegió a comunidades durante Operación Génesis," *Verdad Abierta,* December 28, 2013, https://verdadabierta.com/estado-no-protegio-a-comunidades-durante-operacion-genesis/.

[132] Red Nacional de Información, *Víctimas del conflicto armado*



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Chocoano Culture

This chapter has explored Chocó's characteristics as they relate to the armed conflict, yet it is also important to take a brief look at *Chocoano* culture in order to give readers a better idea of what daily life in the department is actually like. Few factors play a greater role in *Chocoano* culture than music. It seems that no matter where one goes in Chocó, regardless of the time of day, they will hear either salsa, vallenato, chirimía, or reggaeton blasting from a *bafle* or loudspeaker. Indeed, music is such an engrained part of local life that one would be hard pressed to find a home in Chocó that does not have a *bafle*. Visitors to the department are often surprised to learn that in *Chocoano* culture it is permissible to play music as loudly as one likes. Neighbors rarely seem to be bothered when someone down the street plays their favorite artist loud enough for the entire *barrio* to hear, instead they often turn on their own music

[133] Ibid.

producing a unique blend of different songs and genres that carry across the community. Considering their passion for music it should come as no surprise that dancing is another cornerstone of *Chocoano* culture. Generally speaking, *Chocoanos* take pride in their salsa moves and are eager to exhibit them whether it be in a club, in their home, or out in the street. Day excursions to nearby rivers are another common form of entertainment. Due to Chocó's abundance of pristine rivers, its inhabitants often take advantage of the weekend to spend an entire day near the water where they socialize, swim, drink, and reconnect with nature. Since 2016, Chocó's regional government has taken increased efforts to promote the department's rivers, as well as its beaches, as tourist attractions.

Perhaps the greatest cultural attraction that Chocó has to offer is the annual San Pacho festival. The event is both a religious tribute to Saint Francis of Assisi, Quibdó's patron saint, as well as a boisterous celebration that lasts from early September to the beginning of October. The San Pacho festival begins with a special mass that is held at Quibdó's cathedral, which is then followed by a parade that features a carnival-like procession made up of individuals in colorful costumes, dance troupes, and chirimía musical groups. Throughout the remainder of the festival, Quibdó's twelve Franciscan neighborhoods take turns hosting masses and smaller versions of the inaugural parade. Each of the twelve neighborhoods also design floats which are used to express social or political critiques. The festival therefore appeals to those with deep religious beliefs, those who are politically active, as well as those who are simply looking for an occasion to dance and drink to their heart's content. Beyond this, as Daniel Mosquera notes in his article "Reconstituting Chocó: the feast of San Pacho and the Afro question in Colombia," San Pacho is a forum that allows *Chocoanos* to show their fellow Colombians a different side of their lives. Instead of fixating solely on the hardships that are traditionally associated with Chocó, the

festival highlights the overlooked rhythms, sounds, colors, and general sense of joy that fill the lives of the region's inhabitants. In 2012, the United Nations Educational, Scientific and Cultural Organization designated the San Pacho festival as a World Heritage event.[134]

Apart from the San Pacho festival, Chocó is also known for being the birthplace of the celebrated writer Arnoldo Palacios as well as the famous musical group ChocQuibTown. Palacios was part of a group of Afro-Colombian writers whose work explored the overlooked presence of Black culture within Colombian society.[135] He is arguably best known for his work *Las estrellas son negras*, a novel that depicts how poverty and exclusion shaped daily life for Chocó's Black communities. Similar to Palacios' writing, ChocQuibTown's music is in many ways a reflection of *Chocoano* culture. The trio's songs explore the theme of race within Colombian society and further challenge the traditional narratives surrounding Black communities located throughout the Pacific Coast region. Having achieved international success with such songs as "*De donde vengo yo," "Somos los prietos," and "Somos pacífico"* ChocQuibTown's music offers powerful social commentary to a rhythm one can dance to. These cultural aspects are often overlooked yet even a brief review of them can help us appreciate that there is more to the region than violence and poverty.

Chapter Two Conclusion

As far back as the colonial era, the Chocó region of Colombia has been treated as a frontier zone by successive government administrations. Its climate, topography, and geographic location have given rise to the belief that the region is not suitable for development, an idea that

[134] Steven Cohen, "San Pacho Festival takes hold of western Colombian capital," *Colombia Reports*, September 26, 2013, https://colombiareports.com/san-pacho-festival-takes-hold-western-colombian-capital/.
[135] Centro Virtual Isaacs, "Arnoldo Palacios," 2017, http://cvisaacs.univalle.edu.co/literatura/arnoldo-palacios/

has been reinforced by the Colombian government's weak presence in the region. Chocó's ethnic identity has further set the region apart from the rest of the nation. Out of all of Colombia, Chocó has the highest concentration of Afro-Colombians, a demographic feature that was shaped by colonial practices. Since the abolition of slavery, Chocó has largely been left untouched by outsiders, allowing its Black inhabitants to develop their own way of life relatively free from racial prejudice. Chocó's regional harmony was first threatened when guerrilla forces began operating in the area in the 1980s and was then shattered in the late 1990s following the arrival of paramilitary forces to the region. These groups used the department's people and resources to advance their own political and economic causes, in the process transforming Chocó into one of the most violent regions of the country. The advent of the peace process has given reason to believe that Chocó may be able to shed its violent image and bridge the gap between it and the rest of the nation. Perhaps in the future Chocó will no longer be perceived as poor and unwelcoming but instead will be seen as home to one of the most vibrant, overlooked Black communities in all of Latin America.

Chapter Three

The New Struggle for Power in Chocó

In February 2018, Carlos Negret, head of Colombia's *Defensoría del Pueblo,* spent six days travelling to isolated communities along the bank of the Atrato river to assess the impact the ongoing conflict had inflicted on the department of Chocó.[136] After meeting with community leaders and victims of the recent conflict Negret released a public statement on his findings and

[136] Defensoría del Pueblo, *La paz no llegó a Chocó: Defensoria del Pueblo en la primera entrega de 'Las voces olvidadas del Atrato' en Noticias RCN,* February 11, 2018.

declared: "*Mi principal conclusión es que la paz no llegó al Chocó*."[137] Ample evidence exists to reinforce Negret's announcement. Since the ratification of the 2016 agreement, the department of Chocó has suffered from an influx of violent acts committed by illegally armed groups such as the ELN and AGC. This section will explore the nature of the so-called post peace violence that has taken place in Chocó since 2016, specifically focusing on trends of forced displacement, forced confinement, forced recruitment, gender-based violence, homicides, and targeted assassinations.

The Reconfiguration of the Armed Conflict in Chocó

Approximately one month after the Final Agreement was signed into law, the last remaining FARC-EP forces in Chocó, Fronts 57 and 34, voluntarily left the department and relocated to the state sponsored demobilization zones.[138] For many of the inhabitants of Chocó, particularly the residents of areas where the FARC-EP had undermined state rule since the mid-1980s, the withdrawal of these two fronts has not brought the sense of security that the Colombian state intended.[139] Instead, the departure of the FARC-EP and the government's failure to secure control over the region has created a new power struggle in the department that has caused further violence and suffering. One of the most notable illegally armed groups in the region is the ELN's Western War Front which has used southern Chocó as the staging point of its operations in the Pacific Coast region.[140] The group, which is comprised of five units and some three hundred soldiers, has engaged in drug trafficking, extortion, and illegal mining.[141]

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[137] Ibid.
[138] Amnesty International, *The Years of Solitude Continue. Colombia: The Peace Agreement and Guarantees of Non-Repetition in Choco,* 2017, 14.
[139] Ibid, 15.
[140] The International Crisis Group, *Calming the Restless Pacific: Violence and Crime on Colombia's Coast*, 2019, 4.
[141] Ibid.

Operating in large part in the region of Bajo San Juan, which is close to both the Pacific Ocean and the port city of Buenaventura, the Western War Front has asserted control over rural hamlets based along both the San Juan river and the Atrato River.[142]

The ELN's primary rival, the AGC (also known as the *Clan de Golfo*), has been competing with the guerrillas to control the region's illegal economies. The AGC is considered the premier drug trafficking organization in all of Colombia and quite possibly in all of Latin America. It has been reported that the group is responsible for at least 45 percent of the total amount of illicit narcotics that exit the nation.[143] The group is also involved in illegal mining, extortion, arms smuggling, and human trafficking. As of 2017, the AGC was active in over 200 municipalities throughout the country making it the largest criminal network in the nation.[144] Within Chocó, members of the AGC have been reported along the department's Pacific coastline and its border with Antioquia.[145] Both the AGC and ELN have vied for control of Chocó's frontier region with Panama. As such, illegally armed groups are now present throughout the majority of the department.

Illicit Economies

Chocó plays an important role in Colombia's cocaine trade. While the amount of coca that is grown in Chocó pales in comparison to departments like Nariño, Antioquia, Putumayo, Norte de Santander and Cauca, the department of Chocó is heavily involved in the transportation of refined cocaine. Although the exact amount of cocaine that exits the department each year is

[142] Ibid, 8.
[143] Ariel Avila, "Así opera el clan del Golfo," *El Espectador,* September 14, 2017, https://www.elespectador.com/colombia2020/pais/asi-opera-el-clan-del-golfo-articulo-855783/
[144] Ibid.
[145] J.C. Hernandez Díaz and L.M. Martínez,""El Clan del Golfo": ¿el nuevo paramilitarísmo o delincuencia organizada?" *El Ágora USB, Vol. 18, No. 2* (2018): 520.

unknown, an estimated 45 percent of all of Colombia's cocaine exports leave through the Pacific Coast.[146] Cocaine produced in the departments of Cuaca, Nariño, and Antioquia often exit the country through Chocó making it the final leg of the Pacific Coast drug route.[147]

For those involved in the Colombian drug trade, the municipality of Juradó has become the most coveted location in Chocó due to its close proximity to Panama. Those transporting cocaine from Juradó are able to reach Panama's border both by sea and by land. The former can be accomplished by a speedboat in about one hour, while the latter can only be completed by foot and takes days to complete.[148] Known as the "*ruta de las hormigas*," this journey is often undertaken by members of Indigenous groups who are forced to carry cocaine supplies on their backs as they cross the dangerous and densely covered *Tapón del Darién*.[149]

Illegal mining and extortion are two other significant sources of revenue that armed groups have exploited in the department. The Washington Office on Latin America estimates that 60 percent of Chocó's gold leaves the country through illegal outlets.[150] Furthermore, the International Crisis Group, an organization that monitors the ongoing conflict in Colombia, reported that both the ELN and AGC have taxed individuals and businesses in the areas they control.[151] Armed groups have been able to engage in these illicit economies due in large part to the absence of a permanent state presence in the region. This notable absence has strengthened

[146] The International Crisis Group, *Calming the Restless Pacific*, 1.
[147] "Así se reparte el ELN y el Clan del Golfo el control de Chocó," *Semana*, February, 19, 2020. https://www.semana.com/nacion/articulo/miembros-del-clan-del-golfo-intimidan-indigenas-wounaan-en-choco/652676/.
[148] Ibid.
[149] Ibid.
[150] Jerónimo Sudarsky Restrepo, "Civil Society Faces Deadly Threats in Colombia's Chocó Region," *WOLA*, August 8, 2019, https://www.wola.org/analysis/civil-society-faces-deadly-threats-colombia-choco/.,"
[151] The International Crisis Group, *Calming the Restless Pacific*, 11.

the common belief that the inhabitants of Chocó have been abandoned by the government and "are at the mercy of the actions of armed groups."[152]

Forced Displacement

Colombia has the unfortunate reputation of having registered more displaced people than virtually any other country in the world. As of 2019, Colombia ranked first amongst the international community in internal displacement with 7,816,500 reported cases.[153] Only Syria has recorded a higher number of victims displaced by armed conflict.[154] Within Colombia forced displacement has been a particularly acute problem in Chocó. Since 1985, at least 453,262 inhabitants from the department of Chocó have been reported as victims of forced displacement.[155] Of Colombia's 32 departments, only Antioquia, Bolívar, Magdalena, and Nariño have registered more victims in this category.[156] The gravity of the situation in Chocó becomes all the more evident considering the modest size of the department's population. According to a recent government report, in 2019 Chocó had 520, 296 inhabitants.[157] When comparing the overall number of *Chocoanos* who have been forced to abandon their communities to the size of the department's population it becomes clear that forced displacement has touched the lives of the majority of those residing in the region.

The peace agreement with the FARC-EP was touted as a means of bringing safety as well as stability to conflict-plagued regions, yet illegally armed groups have continued to upend the

[152] Amnesty International, *The Years of Solitude,* 15.
[153] Justicia El Tiempo, "Colombia, primera en desplazamiento interno por cuarta vez," *El Tiempo*, June 20, 2019. https://www.eltiempo.com/justicia/conflicto-y-narcotrafico/colombia-es-el-pais-con-mas-desplazados-internos-informe-acnur-378716
[154] Ibid.
[155] Unidad Víctimas, *Registro Único de Víctimas.*
[156] Red Nacional de Información, *Reporte General*, January 1, 2020.
[157] Función Pública, *Chocó: Ficha.*

lives of vulnerable citizens throughout the department of Chocó. The government body *Unidad de Victimas* reported that from 2016 to 2019 approximately 44,838 people from the department of Chocó were registered as victims of forced displacement.[158] Incidents of forced displacement in the region have often occurred on a massive scale. In April 2019, 1,644 members of the Indigenous Emberá group were driven from their communities throughout the municipality of Juradó by armed confrontations between the ELN and AGC.[159] Yet again, in September 2020, an estimated 450 members of the Indigenous Emberá group were forced to flee their homes this time in the municipality of Alto Baudó, Chocó, as members of the ELN and AGC fought to secure control over the territory.[160] Current data has shown that in 2020 Chocó continued to report some of the highest levels of forced displacement in all of Colombia. According to a report released by The Internal Displacement Monitoring Centre, 4,300 *Chocoanos* were displaced by the armed conflict throughout the first six months of 2020 alone.[161] Only the department of Nariño, which is similarly located in the Pacific Coast region, reported a higher number of victims of forced displacement.[162]

Concerns have been raised regarding the efficiency of the emergency response systems put in place to assist victims of forced displacement. In July 2011, in an effort to meet both the immediate and long-term needs of Colombia's growing internally displaced population, the administration of former president Juan Manuel Santos implemented the *Ley de Víctimas y Restitución de Tierras*. Considered a landmark achievement, the *Ley de Víctimas* was designed to

[158] Red Nacional de Información, *Desplazamiento – Personas*, January 1, 2020.
[159] Verdad Abierta, *Informe Sobre la Grave Crisis Humanitaria, Social, Económica*, September 14, 2018, 6.
[160] "Defensoría prende las alarmas por desplazamientos en Chocó," *Semana*, September 18, 2020. https://www.semana.com/nacion/articulo/defensoria-prende-las-alarmas-por-desplazamientos-en-choco/202034/
[161] Internal Displacement Monitoring Centre, *Internal displacement 2020: Mid-year update,* n.d., 35.
[162] Ibid.

provide urgent humanitarian relief as well as reparations to displaced Colombians.[163] Furthermore, it sought to coordinate the Colombian government's local and national victims' response programs.[164] The extent to which the intent of the *Ley de Víctimas* has met the needs of displaced *Chocoanos* is questionable. Allegations have emerged that municipal governments throughout the department of Chocó have been unable to provide victims of forced displacement with the humanitarian assistance as stipulated by the 2011 law.[165] Local governments have asserted that they lack the funds needed to assist the seemingly endless number of internally displaced people (IDPs), while critics have maintained that humanitarian relief simply is not treated as a priority.[166] As such, international organizations such as *el Consejo Noruego de Refugiados* and *el Comité internacional de la Cruz Roja* have become responsible for providing primary aid to Chocó's displaced population.[167]

Historically, Afro-Colombians have suffered disproportionality high levels of forced displacement. An estimated 12.3 percent of Afro-Colombians have been forced to flee their homes due to the armed conflict which accounts for 22.5 percent of Colombia's overall displaced population.[168] The fact that more than 44,000 *Chocoanos* have been displaced in the past four years is a clear indication of the failure of the peace accords' guarantees of non-repetition. The continued trend of displacement also brings the effectiveness of the "Ethnic Chapter" into question. The "Ethnic Chapter" states that because ethnic Colombians "have been seriously

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[163] Elizabeth Ferris, *Changing Times: The International Response to Internal Displacement in Colombia*, (Brookings Institution: Washington D.C.) 2014, 19.
[164] Ibid, 20.
[165] "En Chocó falla el sistema de atención a desplazados," *Verdad Abierta*, May 30, 2017. https://verdadabierta.com/en-choco-falla-el-sistema-de-atencion-a-desplazados/
[166] Ibid.
[167] Ibid.
[168] Rodriguez Garavito, Cesar, Tatiana Alfonso Sierra, and Isabel Cavelier Adarve, *El Desplazamiento Forzado* (Bogotá, Colombia: Universidad de los Andes 2009), 9.

affected" by the armed conflict that "maximum guarantees" need to be put into place in order to ensure that their human rights are protected.[169] More specifically, the "Ethnic Chapter" asserts that the state has a responsibility to strengthen security systems and provide protection mechanisms for ethnic communities.[170] As the department of Chocó is made up predominately of Afro-descendants and Indigenous peoples it should be a direct recipient of the benefits of the "Ethnic Chapter." Yet, the large number of recently displaced people from Chocó reveals that the promises for increased security have not been brought to fruition and demonstrates that the "Ethnic Chapter" has not been successfully implemented.

Forced Confinement

Another factor that shows the shortcomings of the promises laid out in the "Ethnic Chapter" is the increased occurrence of forced confinement. According to local social leaders, forced confinement has become the principal strategy armed groups have employed in Chocó because, unlike forced displacement, it allows armed groups to avoid public recognition of their activities. It is further used as a means of integrating civilians into the armed conflict. Local reports show that communities suffering from forced confinement often have no choice but to cooperate with their occupying forces. Not only are community members required to provide provisions as well as financial support, but they are often used by their captors as human shields.[171] By immersing themselves into a civilian population, armed groups believe that their rivals are less likely to assault them for fear of killing non-combatants. This tactic not only

[169] The Office of the High Commissioner for Peace, *The Final Agreement,* 217.
[170] Amnesty International, *The Years of Solitude,* 8.
[171] Comité de Seguimiento al Acuerdo Humanitario ¡Ya! en el Chocó, *Tercer Informe de Seguimiento al Acuerdo Humanitario ¡Ya! en el Chocó*, 2019, 8.

shows a blatant disregard for human life, but it also illustrates how Colombia's ongoing conflict continues to expose civilians to life threatening danger.

The physical wellbeing of victims of forced confinement is further endangered by their inability to access food and medicine. Through the use of antipersonnel mines, checkpoints along rivers, and military patrols armed groups threaten food security by preventing rural inhabitants from engaging in farming, hunting, and fishing practices.[172] Rural communities' abilities to access medical treatment has similarly been jeopardized by forced confinement. A November 2019 report published by an interethnic group of peace activists in Chocó claims that armed groups intentionally deny medical personnel access to occupied communities.[173] It further states that the use of landmines by illegally armed groups prevents rural communities from accessing plants which are needed for traditional healing techniques.[174] Thus, those suffering from medical conditions are often left untreated throughout the duration of the illegal occupation. While this medical abuse is troublesome in and of itself, it becomes all the more alarming considering the additional trauma that victims of forced confinement experience. Apart from the previously mentioned abuses, forced confinement violates both individual and communal rights to territorial control, access to education, and the freedom to engage in religious and cultural practices.[175] Victims of forced confinement are further subjected to sexual violence, pillaging, and illegal judicial proceedings. Despite that victims of forced confinement are subjected to a wide range of abuses, neither monitoring organizations nor the Colombian government have adequately addressed the threats that it poses to vulnerable communities.

[172] Ibid, 9.
[173] Ibid.
[174] Ibid.
[175] Ibid.

Like forced displacement, incidents of forced confinement often occur on a massive scale. One of the most notable examples of forced confinement took place in August 2018 when 3,700 Indigenous people in the northern municipalities of Riosucio, Carmen del Darién, and Bojayá were unable to leave their communities because units of the ELN and AGC placed restrictions on their movement as they fought for control over the region.[176] More recently, 1,773 Indigenous people found themselves confined in the municipality of Murindó between August and September 2019 by prolonged armed clashes between the AGC and the ELN.[177]

Although there is no database which provides a comprehensive overview of forced confinement in Colombia, recent publications provide some insight into the impact this military tactic has had on Chocó in recent years. Research conducted by the UN's *Equipos Locales de Coordinaci*ón claimed that between January and December 2018, at least 15,538 *Chocoanos* suffered from forced confinement.[178] Of those affected, 74 percent of people were identified as belonging to an Indigenous tribe whereas the remaining 26 percent were identified as Afro-Colombians.[179] A separate report by the UN showed that of the total number of victims of the armed conflict in Chocó in the year 2018, approximately 55.7 percent of them were identified specifically as victims of confinement.[180] This data reinforces the claims made by local social leaders that forced confinement has become the principal military strategy that armed groups utilize in the region. The following year the *Defensoría del Pueblo* reported that in 2019 there

[176] "El drama de 3.700 indigenas en riesgo de desplazamiento forzado en el Choco" *Semana,* August 17, 2018. https://www.semana.com/nacion/articulo/cerca-de-3700-indigenas-forzados-a-desplazamiento-por-combates-en-colombia/579735/

[177] Justicia El Tiempo, "En lo que va del año 15.140 personas han sido desplazadas forzosamente," *El Tiempo*, October 9, 2019. https://www.eltiempo.com/justicia/conflicto-y-narcotrafico/mas-de-15-000-desplazamientos-forzados-en-colombia-en-2019-421326

[178] Equipo Local de Coordinación Chocó, *Briefing Departamental*, 2018.

[179] Ibid.

[180] Equipo Humanitario Colombia, *Estimación de víctimas de desplazamiento forzado, ataques contra la población civil, amenazas y confinamiento en Colombia (2019 y 2020)*, March 3, 2020.

were 107 incidents of forced confinement which affected 16,500 Indigenous people and Afro-Colombians. Most recently the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) found that in the first half of 2020, there were 20 events of forced confinement reported in Colombia which affected 48,202 individuals. OCHA determined that 65.8 percent of the overall victims of forced confinement during this time frame resided in the department of Norte de Santander.[181] Following the department of Norte de Santander, Chocó was the second-worst hit department by forced confinement in 2020.[182]

Oslender argues that when local populations suffer from restricted mobility and are unable to engage in their daily activities they experience a form of deterritorialization.[183] This occurs when people have tangible constraints put on their free movement such as armed roadblocks and when local people find it difficult to go through their daily routines because of perceived threats.[184] Oslender asserts that deterritorialization through restrictions on free mobility is equally as devastating as forced displacement yet its impact is often overlooked.[185] Forced confinement or deterritorialization undermines not only the spirit of the "Ethnic Chapter" but also its specific clauses. The "Ethnic Chapter" recognizes that Afro-Colombians and Indigenous peoples "need to have control over the events that affect them and their land."[186] It also guarantees that ethnic peoples will have "free determination, autonomy… economic and cultural identity and integrity" as well as rights over the resources found on their land and

[181] OCHA, *Impacto humanitario y tendencias entre enero y junio de 2020*, 2020.
[182] Ibid.
[183] Ulrich Oslender, "Another History of Violence," 89-90.
[184] Ibid, 83.
[185] Ibid, 80.
[186] The Office of the High Commissioner for Peace, *The Final Agreement,* 218.

communities.[187] Both the scale and frequency of incidents of forced confinement in Chocó further exemplify the ineffectiveness of the "Ethnic Chapter."

Forced Recruitment

Illegally armed groups have continued to engage in the recruitment of Afro-descendant and Indigenous youths. This practice serves as a clear demonstration that there are inhabitants of Chocó who still lack free determination and territorial control. Forced child recruitment has been a common occurrence throughout Colombia's ongoing conflict. According to the *Centro Nacional de Memoria Histórica*, as of 2015 there were 16,789 verified reports of child recruitment.[188] The demobilization of the FARC-EP did not bring an end to this problem. A UN report found that from July 2016 to the end of June 2019 there were 599 cases of child recruitment which took place in 12 of Colombia's 32 departments.[189] The report indicated that the ELN was responsible for incorporating the most underage children into their ranks, but that dissident factions of the FARC-EP as well as the AGC also engaged in this illegal practice.[190] In the first five months of 2020, an estimated 190 children were victims of forced recruitment, representing almost a 100 percent increase from the same time frame of the previous year.[191]

Trends in child recruitment in Chocó have been difficult to track due to a lack of information, yet the reports which are available suggest that Indigenous children are particularly vulnerable. Amnesty International reported that in August 2017 an AGC unit that consisted of

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[187] Ibid.
[188] Centro Nacional de Memoria Histórica, *Una guerra sin edad, Informe nacional de reclutamiento y utilización de niños, niñas y adolescentes en el conflicto armado colombiano*, (Bogotá: Panamericana Formas e Impresos S.A.), 53.
[189] United Nations Security Council, *Children and armed conflict in Colombia,* 2019.
[190] Ibid.
[191] "Forced recruitment of children by armed groups has more than doubled in 2020," *Justice for Colombia*, May 18, 2020. https://justiceforcolombia.org/news/forced-recruitment-of-children-by-armed-groups-has-more-than-doubled-in-2020/

200 members entered the cities of Bahia Solano, Buena Vista, Novita, and Bojayá and coerced Indigenous male and female adolescents between the ages of 12 and 14 to join their ranks.[192] In rural areas of the department members of the ELN have reportedly forced Indigenous youth to serve as the group's guides.[193] It is believed that in 2017 the ELN recruited 12 Indigenous children from the department of Chocó.[194] The following year, the *Defensoría del Pueblo* announced that in March the ELN forcibly recruited 16 Indigenous minors from Magual, Chocó**.** Two months later, an AGC force consisting of approximately 100 members coerced an unidentified number of Indigenous children into serving as guides for their operations.[195] These reports may only be scratching the surface of the problem. After speaking with community leaders throughout the department, the Archbishop of Quibdó, Monsignor Juan Carlos Barreto, suggested that at least 100 *Chocoano* children and adolescents were victims of forced recruitment in 2019 alone.[196] Barreto further noted that many incidents of forced recruitment go unreported as families and communities fear that interactions with state authorities will provoke acts of retaliation.[197]

Monitoring organizations routinely note that illegally armed groups intentionally target economically vulnerable youth and tout the financial benefits of joining their ranks to pressure children into taking up arms.[198] Adolescents in Chocó, therefore, are particularly susceptible due to the department's high levels of poverty and low employment rates. Both the ELN and the

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[192] Amnesty International, *The Years of Solitude,* 17.
[193] "Defensor del Pueblo pide al Eln devolver a 16 menores reclutados en Chocó," *El Espectador*, March 13, 2018. https://www.elespectador.com/noticias/nacional/defensor-del-pueblo-pide-al-eln-devolver-a-16-menores-reclutados-en-choco/
[194] United Nations Security Council, *Children,* 6
[195] Ibid.
[196] "La otra cara de la guerra en Chocó: el reclutamiento forzado," *Verdad Abierta*, January 5, 2020. https://verdadabierta.com/la-otra-cara-de-la-guerra-en-choco-el-reclutamiento-forzado/
[197] Ibid.
[198] Amnesty International, *The Years of Solitude,* 17.

AGC have offered economic rewards as well as guarantees of safety for children and their families as incentives. While some children are enticed into joining armed groups, others simply do not have a choice. The absence of a permanent police, military, and state presence in geographically isolated areas of the department has left Afro and Indigenous communities defenseless against the armed groups who invade their homes. Some families have even been forced to flee their communities in an effort to protect their children from forced recruitment. Forced recruitment in Chocó not only highlights the economic and physical vulnerability of rural children, but it also thrusts a new generation of Colombians into the armed conflict.

Gender-Based Violence

The reconfiguration of the armed conflict in Chocó has endangered the overall state of security throughout the region, yet few groups have suffered as much as ethnic women. The magnitude of gender-based abuses in Chocó has not been measured statistically but instead has been brought to light by the voices of community leaders. One of the foremost concerns reflected in the *Primer Informe de Seguimiento al Acuerdo humanitario ¡Ya! En el Chocó*, a 2019 report that chronicles incidents of armed conflict in Chocó, is illegally armed groups' use of sexual violence. Having collected information from women in all five subregions of the department, the authors of the report found that both adult and adolescent females continue to be at risk of rape, femicide, forced prostitution, psychological abuse, harassment, and targeted displacement.[199] In some cases, women have also been forced to act as informants for armed groups, requiring them to choose between acting in the interest of their communities or their own wellbeing.[200] Women's ability to engage in commerce has also been undermined by the conflict as armed

[199] Comité de Seguimiento al Acuerdo Humanitario ¡Ya! En el Chocó, *Primer Informe* 11.
[200] Ibid.

groups routinely extort female-ran businesses.[201] Similar concerns have been voiced about the impediments armed groups have placed on women's capacity to engage in subsistence farming, and the impact it has had on food security. Both of these issues have jeopardized the domestic stability of an already vulnerable people.

Victims of these abuses, however, have rarely made public denouncements due in large part to the state's failure to provide them with institutional support. The *Primer Informe de Seguimiento al Acuerdo Humanitario ¡Ya! En el Chocó* specifically asserts that local governments have failed to provide victims of gender-based abuses with safe places to file their complaints. Women who live in geographically isolated areas are often required to travel to the nearest urban center in order to file a report thereby exposing them to further risk.[202] In other cases, local prosecutors have been known to lose evidence or delay investigations.[203] Thus, those women who do report the abuses they have suffered rarely see their perpetrators prosecuted. The Colombian government's inability to bring perpetrators to justice or to provide meaningful support to victims has contributed to the popular belief that illegally armed groups are permitted to act with impunity in the region.

Homicides and Targeted Assassinations

The state of security in the department of Chocó has also been marred by murder and forced disappearances associated with the armed conflict. The *Unidad de Victimas* has reported that from 2016 to 2019 there were 192 homicides believed to have been committed by members of illegally armed groups and 19 forced disappearances.[204] The Colombian publication *Revista*

[201] Ibid.
[202] Ibid, 12.
[203] Ibid.
[204] Red Nacional de Información, *Víctimas de conflicto*

Semana believes the actual number of homicides is significantly higher. It claims that between 2018 and 2019 alone there were 424 assassinations in the department of Chocó.[205] Some of these homicides have been described as targeted killings. In November 2019, the *Comisión de la Verdad* verified that at least 30 social leaders had been assassinated in Chocó since the peace accords were ratified.[206] It further revealed that between 1986 and 2019, 233 ethnic leaders and activists were murdered in Chocó, making it what they described as one of the most dangerous departments in all of Colombia to engage in social activism.[207]

Reports of murder only provide a partial glimpse into the state of insecurity which has engulfed Colombia's social leaders. Many of them have been threatened by armed groups forcing them to choose between their personal safety and their causes. Such was the case with the celebrated victims' advocate and human rights defender Leyner Palacios Asprilla. In January 2020, Palacios Asprilla was forced to leave his native Chocó after he received a phone call in which unidentified aggressors told him "*O se va, o lo matamos*."[208] This was not an idle threat. Less than two months later, Palacios Asprilla's bodyguard, Arley Hernán Chalá, was shot and killed in public. Chalá's death has widely been interpreted as a message for Palacios. The *Comisión Interétnica de la Verdad de la Región Pacífico* (CIVP), believes that the threats made against Palacios Asprilla are connected to the release of "*Bojayá entre fuegos cruzados*" a documentary in which he denounces the ongoing human rights abuses committed in Chocó by

[205] Especiales Semana, "Guerra en el paraíso," *Semana*, n.d. https://especiales.semana.com/guerra-entre-el-eln-y-el-clan-del-golfo-en-choco-los-ninos-las-victimas/
[206] Justicia El Tiempo, "Siga el diálogo por los líderes sociales del Pacífico colombiano," *El Tiempo*, November 28, 2019. https://www.eltiempo.com/justicia/jep-colombia/dialogo-desde-quibdo-sobre-el-asesinato-de-lideres-sociales-438214
[207] Ibid.
[208] "O se va, o lo matamos": rechazan amenazas de muerte contra líder de Bojayá, Leyner Palacios," *Semana*, January 3, 2020. https://www.semana.com/nacion/articulo/o-se-va-o-lo-matamos-rechazan-amenazas-de-muerte-contra-lider-de-bojaya-leyner-palacios/646964/

guerrilla, paramilitary, and state security forces.[209] The threats made against Palacio Asprilla are particularly alarming considering that he is both a survivor of the infamous Bojayá massacre as well as one of the most prominent advocates for peace, truth, and reconciliation in all of Colombia. Throughout his 20 years as a victims' advocate, Palacios Asprilla has participated in the peace talks between the FARC-EP and the Colombian government, served as the secretary general for the CIVP, and received the Global Pluralism Award. In September 2020, Palacios Asprilla was selected to be a committee member for Colombia's Truth Commission. The fact that armed groups are able to pose a legitimate security threat to someone as well-known as Palacios Asprilla brings into question how safe Colombia's lesser-known social activists truly are.

The pandemic of violence affecting Chocó's social activists has not shown any signs of ending in 2020. In an interview conducted with *Radio Nacional de Colombia*, Modesto Serna, the assessor of peace for the government of Chocó, stated that at least seven social leaders had been killed in Chocó in the first ten months of 2020.[210] The majority of these killings, like those which took place in the years before them, occurred in rural areas of the department and many of the victims were representatives of ethnic organizations. Recent reports of homicides and forced disappearances are perhaps the clearest example of the state's failure to prevent new victims of the conflict. Despite the pledges of the "Ethnic Chapter" and section five of the Final Agreement there are still no guarantees to the right to life and safety in Chocó. The armed conflict persists in the department and many *Chocoanos* remain vulnerable.

[209] "Asesinaron al escolta de líder social Leyner Palacios en Cali," *El Tiempo*, March 4, 2020. https://www.eltiempo.com/colombia/cali/asesinan-al-escolta-del-lider-leyner-palacios-en-cali-469138
[210] "Leyner Palacios denuncia nuevas amenazas en su contra," *Semana*, June 6, 2020. https://www.semana.com/nacion/articulo/leyner-palacios-denuncia-nuevas-amenazas-en-su-contra/677887/

Chapter Three Conclusion

The demobilization of the FARC-EP, and the subsequent implementation of the 2016 peace agreement, gave reason to believe that Chocó, like the rest of the nation, would enjoy a new sense of security and harmony. Unfortunately, this has not been the case. Forced displacement has continued to occur at alarmingly high levels, uprooting the lives of tens of thousands of *Chocoanos*. At the same time, illegally armed groups have increasingly subjected *Chocoano* communities to forced confinement in an attempt to consolidate their power while simultaneously concealing their actions from the rest of the world. To date, the threat of forced confinement has gone unacknowledged by state figures. Other manifestations of the conflict such as forced child recruitment, gender-based violence, homicides, and targeted assassinations have remained common across the region. The pervasiveness of violence in Chocó sheds light on the shortcomings of the security guarantees laid out in the 2016 peace agreement, most notably the underlying principle that no Colombian will ever again become the victim of armed conflict. Moreover, it shows that the demobilization of the FARC-EP was not a panacea.

Chapter Four

Stay the Course: *Chocoano* Efforts to Advance Peace Talks Between the ELN and the Duque Administration

The ELN's insurgency has traditionally been treated as a second-tier threat behind the actions of the more dominant FARC-EP. The latter's transformation into a legitimate political party altered the dynamics of Colombia's internal conflict, paving a path for the ELN to assume a more assertive role in the armed struggle. With new opportunities now available for the ELN to expand its power it is unclear whether the guerrillas see this as a propitious moment to

voluntarily disarm. Likewise, in light of the ELN's recent decision to revamp its armed struggle, it appears doubtful that the Duque administration views negotiations as an appropriate way of ending the insurgency movement. This chapter explores the most recent dialogues that have taken place between the Colombian state and the ELN, highlighting the obstacles that stand in the way of the voluntary demobilization of the guerrilla group. It then examines the efforts that grassroots organizations in Chocó have taken to return the two parties to the negotiation table.

The ELN's Insurgency Movement

Since the 1960s, the ELN has been engaged in an insurgency movement against the Colombian state and, with the demobilization of the FARC-EP having taken effect, the group now stands as the oldest rebel organization in all of Latin America. The ELN, which first emerged in 1964, was formed by politically minded students and priests who were inspired by the Cuban Revolution and the principles of Liberation Theology. Initially, the ELN was committed to challenging the power held by Colombia's political and economic elites, as well as foreign forces such as the United States, and sought to create a popular democracy that would empower the nation's marginalized masses. The extent to which the group has stayed true to its revolutionary principles throughout its nearly 55 year-long campaign is a matter of debate. The ELN's activities have included occupying remote regions of Colombia and acting as a governing force, launching assaults on the state's armed forces and infrastructure, and participating in illicit economies. It has routinely utilized violence as a means of achieving its goals with its victims varying between members of the state, the economic elite, and the very communities who the group formed to protect. The group's primary targets have traditionally been state agents such as police officers as well as oil company employees. The latter group has been specifically targeted

because it is seen as representative of the economic exploitation and environmental destruction that the wealthy, foreign-based ruling class inflict on Colombian society.[211]

The Modern ELN

The power dynamic between the Colombian government and the ELN has reached a delicate balance bordering on the level of a stalemate. Whereas the ELN has demonstrated itself capable of surviving in Colombia's evolving internal armed conflict, the Colombian military has proven itself incapable of delivering a decisive, final blow against the guerrilla group. Recent reports have indicated that the ELN currently has somewhere between 2,000 and 2,400 guerrilla members. Its forces are split into six regional war fronts which are believed to be active in at least nine Colombian departments.[212] A large segment of the ELN's forces, perhaps close to 50 percent of the group's total members, are also reportedly active in half of Venezuela's 24 states.[213] To finance its operations, the ELN engages in a variety of illicit economic activities. Traditionally, the group relied heavily on the funds generated from kidnappings and extortion. More recently, the ELN has earned a substantial part of its income from taxing illegal miners in both Colombia and Venezuela.[214] Some branches of the ELN, like Western War Front in Chocó and its forces in Catatumbo, have also become active in the cocaine trade.[215] This represents a radical shift against the group's longstanding principle of non-involvement in the production and distribution of illicit drugs. Although the group's participation in the drug game has

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[211] Mapping Militant Organizations, *National Liberation Army*, July 2019.
[212] Ibid.

[213] Venezuela Investigative Unit, "ELN Now Present in Half of Venezuela," *InSight Crime,* November 13, 2018, ELN Now Present in Half of Venezuela (insightcrime.org).
[214] Mathew Charles, "Colombia's Longest Insurgency and the Last Chance for Peace?" *NACLA*, December 23, 2019, https://nacla.org/news/2019/12/23/colombia-longest-insurgency-ELN-peace.

[215] The International Crisis Group, *The Missing Peace: Colombia's New Government and Last Guerrillas,*" December 12, 2018, 6.

compromised its revolutionary principles and strained its relationship with the communities whom it claims to protect, drug profits have provided the group with a new, reliable source of income it needed to strengthen its military capacity. It is important to note that some sectors of the ELN, such as its forces in Arauca, have refused to enter the drug trade.[216] The group's differing opinions on the role that drugs should play within its organization serves as a clear example of the ELN's internal divisions.

The ELN and the Prospect of Peace

In the more than five decades that the ELN has been engaged in its insurgency movement, eight different Colombian administrations have attempted to strike a peace deal with the guerrilla group.[217] Juan Manuel Santos was the latest President to engage in this formidable task. In 2014, representatives of the ELN and the Santos administration undertook secret, exploratory peace talks with the goal of establishing an agenda for more formal negotiations. Two years later, in March 2016, the two sides announced that they had agreed on a six-item agenda comprised of the following points: "Participation of Society in Peace-building," "Democracy for Peace," "Transformations for Peace," "Victims," "End of the Conflict," and "Implementation." The Colombian government insisted that the ELN had to release all of its victims of kidnappings as a prerequisite to initiate negotiations. This demand was not particularly surprising considering that the Colombian government had pursued the same policy with the FARC-EP in 2012.[218] For the ELN, however, this was a difficult concession to make. Kidnapping provided the group with revenue and also served as a tool to enforce the group's

[216] Ibid.
[217] "History of peace talks with Colombia's ELN guerrillas," *Colombia Reports*, October 26, 2016, https://colombiareports.com/history-peace-talks-colombia-eln/.
[218] Geoff Ramsey and Sebastian Bernal, "Colombia's ELN Peace Talks Explained," *Washington Office of Latin America,* February 7, 2017, https://www.wola.org/analysis/colombias-eln-peace-talks-explained/.

political agenda. Yet, after almost one year of deliberation, the ELN agreed to the government's demand and liberated its last captive.[219] This set the stage for the initiation of official peace talks.

From the onset of formal talks, it was clear that the path toward peace with the ELN would vary considerably from the negotiation process with the FARC-EP. To begin with, due to the democratic nature of the ELN, as well as the considerable degree of autonomy that each war front is afforded, consensus-building within the group is a difficult task.[220] The ELN is committed to a "centralized democracy" meaning that the group holds routine votes, which all of its members participate in, to determine its policies.[221] Once a decision is made, however, there is no guarantee that regional commanders will strictly abide by it. This has been clearly illustrated by the contrast between the central command's calls for peace while select war fronts continue to engage in aggressive military actions. The theme of citizen participation in the talks represents another notable difference. One of the ELN's central beliefs regarding peace negotiations is that they must be as inclusive as possible in order to be valid.[222] In other words, the group argues that peace talks should be a forum in which the disenfranchised Colombian masses have an opportunity to air their grievances and list their visions of change. Determining how to make this happen will certainly be challenging, as it will require more extensive social involvement than what took place during the FARC-EP talks.

Perhaps the biggest difference between talks with the FARC-EP and the ELN pertains to the disarmament, demobilization, and reintegration process. For the state, disarmament and demobilization is considered a crucial, inflexible first step toward the construction of peace.

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[219] International Crisis Group, *The Missing Peace*, 16.
[220] Ibid.
[221] International Crisis Group, *The Missing Peace*, 5.
[222] Jaime Zuluaga Nieto, "El ELN ante la negociación política: agenda reformista, sociedad protagónica," in *Y Sin Embargo, Se Mueve*, ed. Victorde Currea-Lugo (Bogotá: Ediciones Ántropos Ltda, 2015), 36.

During the peace negotiations with the FARC-EP, the government insisted that the guerrilla group had to disarm before any features from the peace agreement could be implemented. The Duque administration has made it clear that it intends to hold the ELN to the same standards, yet the guerrilla group has been adamant that they will not lay down their arms until the final agreement between it and the Colombian state has been put into place.[223] This issue is further complicated by the ELN's internal divisions. Even if the Colombian government manages to convince the ELN's chain of command to demobilize immediately following the ratification of a peace deal, there is no guarantee that the group's most militant members will follow suit.

The possibility for peace was similarly undermined by the ELN's unwillingness to suspend its military operations. Initially, the ELN and the Santos administration had agreed on a 100-day bilateral ceasefire to garner goodwill. The ceasefire, which took place from October 1, 2017 to January 9, 2018 offered hope to the nation, especially the territories in which the ELN was active, that the group was committed to an end of armed hostilities. This hope was shaken when the ELN, despite calls from domestic and international bodies to stay the course, refused to extend the ceasefire on the grounds that the Colombian military did not honor its commitments.[224] Later that January, President Santos suspended peace talks following a string of bombings carried out by the group that left seven police officers dead and at least forty others wounded.[225] In August 2018, President Santos' term limit came to an end. Upon arriving to office, Duque made it clear that he would not resume peace talks with the ELN until the group agreed to suspend its kidnapping campaign and release the hostages it had taken following the

[223] International Crisis Group, *The Missing Peace*, 8.
[224] International Crisis Group, *The Missing Peace*, 17.
[225] Vanessa Romo, "Colombian President Pauses Peace Talks With Rebel Group, ELN," *NPR,* January 29, 2018, https://www.npr.org/sections/thetwo-way/2018/01/29/581696346/colombian-president-pauses-peace-talks-with-rebel-group-eln.

collapse in negotiations with his predecessor.[226] Duque additionally demanded that the ELN refrain from engaging in child recruitment, suspend its sabotage campaign on Colombian infrastructure, and disavow the use of landmines.[227] Not surprisingly, the ELN refused to meet these demands. Whatever glimmer of hope remained for a resumption of peace talks was later dashed on January 9, 2019, when the ELN orchestrated a car bomb attack against a police academy in Bogotá which killed 22 cadets.[228] This proved to be the deadliest attack to take place in Colombia following a 2003 car bombing conducted by the FARC-EP that left 36 people dead.[229] Duque responded to the incident by requesting that the Cuban government arrest the 10 ELN commanders who were stationed in Havana to conduct the peace talks, justifying his position by asserting that the ELN had committed 400 terrorist attacks since the start of formal talks in 2017.[230] To date, the ELN has continued a dual policy of calling for peace talks while still conducting attacks against state infrastructure and police units.

Internal division within the ELN has proven to be one of the biggest hindrances toward the ratification of a peace agreement. As the group entered into formal negotiations, it struggled to achieve a consensus as to whether peace through disarmament represented the true will of the guerrilla force. Whereas the ELN's oldest members tend to advocate on behalf of peace

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[226] "Colombia's ELN rebels say Duque conditions for peace talks 'unacceptable'," *Reuters*, September 10, 2018, https://www.reuters.com/article/us-colombia-rebels/colombias-eln-rebels-say-duque-conditions-for-peace-talks-unacceptable-idUSKCN1LQ1KX.

[227] Reuters, "Colombia Captures Eight ELN Rebels Accused of Police Academy Bombing," *U.S. News,* July 2, 2020, https://www.usnews.com/news/world/articles/2020-07-02/colombia-captures-eight-eln-rebels-accused-of-police-academy-bombing.

[228] Jenny Carolina González and Anatoly Kurmanaev, "Colombia Captures Guerrillas Accused in Deadly Car Bombing," *The New York Times*, July 2, 2020, https://www.nytimes.com/2020/07/02/world/americas/colombia-eln-bombing-arrests.html.

[229] Joshua Goodman, "At least 21 people dead, 70 more injured after car bombing in Colombia," *PBS*, January 18, 2019, https://www.pbs.org/newshour/world/at-least-21-people-dead-70-more-injured-after-car-bombing-in-colombia.

[230] Ibid.

negotiations, there is significant support amongst its younger members to carry on their struggle.[231] In addition to the generational split, Mathew Charles argues that the current ELN is actually divided by three different schools of thought. According to Charles, there are "pragmatists" who believe that the group should strive toward a peace deal, there are "hardliners" who believe that the group must continue to fight until capitalism has been vanquished, and there are "profiteers" who desire to prolong the conflict for the sake of their personal financial benefit.[232] The internal division is so great amongst the group that Charles suggests that "the insurgency's biggest challenge is not signing a deal with the government, but rather striking agreement between themselves."[233] As long as the ELN is unable to reach an internal consensus, it is likely that the guerrillas' plans for peace will be undermined by the military actions of those who desire to prolong the conflict for either personal or ideological reasons.

Building Peace in Chocó

The Colombian government has long maintained that every one of its citizens is responsible for ensuring the success of the peace process. In the department of Chocó, this message has been taken to heart by those whose lives continue to be shaped by the armed conflict. Local organizations have demonstrated a firm commitment to holding the Duque administration accountable for implementing the Final Agreement as well as ending the conflict with the ELN through political means. They have further sought to demonstrate to both Colombia and the international community how the armed conflict has destroyed the social fabric of the department's ethnic communities. By doing so, they aspire to make the

[231] International Crisis Group, *The Missing Peace,* 10.
[232] Mathew Charles, "Colombia's Longest,"
[233] Ibid.

humanitarian plight of some of Colombia's most marginalized peoples relevant to those who hold political, social, and economic power.

Humanitarian Agreements

Within one year of the ratification of the Final Agreement, it was evident to the inhabitants of Chocó that the armed conflict in the region was poised to take a turn for the worse. While the international community celebrated Colombia's historic step toward peace, illegally armed groups in Chocó continued to expand their territorial control at the expense of the civilian population. Regrettably, the ongoing armed conflict in Chocó seemed to go unnoticed by the Colombian government. Faced with state indifference and increased levels of violence, grassroots organizations throughout the department chose to make a unified appeal for humanitarian assistance. In August 2017, a coalition of inter-ethnic groups, women's movements, and victims' organizations composed the *Acuerdo Humanitario ¡Ya! en el Chocó*. The document was drafted to express *Chocoanos* rejection of the continued militarization of their territories and the ongoing violation of their human rights. It was further designed as a tactical move to insert *Chocoanos'* demands into the ELN and Colombian government's peace talks held in Quito, Ecuador.

The Acuerdo Humanitario ¡Ya! consists of eleven points that call for: a bilateral ceasefire between the ELN and Colombian Armed Forces, the dismantling of illegally armed groups, respect for ethnic groups' territorial autonomy and cultural practices, the demining of ethnic territories, the creation of a permanent peace dialogue that will include a seat for the ELN front operating in Chocó, and the commitment to reach a political solution to the armed conflict.[234] It

[234] El Foro Interétnico Solidaridad Chocó, *Propuesta de Acuerdo Humanitario ¡Ya! en el Chocó. De la Sociedad Civil del Departamento del Chocó. Dirigida al Gobierno Nacional y al Ejército de Liberación Nacional -ELN-*, 2017.

also demands an immediate end to child recruitment, violence against women and the LGBTQ community, murders and forced disappearances, forced displacement and confinement, illegal mining, and the cultivation of illicit crops.[235] On August 31, 2017, the agreement was presented to the ELN and Colombian government's negotiation teams. The authors of the agreement hoped that both parties would be moved by *Chocoanos'* unified appeal for peace and territorial control, yet the proposal failed to achieve its expressed goals.

In February 2019, a follow up document entitled the *Primer Informe de Seguimiento al Acuerdo Humanitario ¡Ya! En el Chocó* was published which provided a detailed overview of the incidents of armed conflict that occurred in Chocó throughout 2018. The follow up document varied noticeably from its predecessor in that rather than merely offering a list of specific demands, it also offers a thorough account of the human rights violations that occurred in each subregion of Chocó. According to the text, illegally armed groups succeeded in expanding their sphere of influence demonstrating that they, rather than the state, are the true holders of power in the department.[236] This illegal expansion of power was able to take place due to what is described as the state's collaboration with neo-paramilitary structures, a threat which the authors of the report asserted needs to be investigated.[237]

The report further stands out from its predecessor because it was published following President Duque's decision to end peace talks with the ELN and resume military actions against the guerrilla group. One of the primary purposes of the follow-up document was to therefore emphasize how Duque's new policy placed the inhabitants of Chocó in danger. It warned that *Chocoanos* would once again find themselves caught in the middle of violence and would be

[235] Ibid.
[236] Comité de seguimiento al Acuerdo Humanitario ¡Ya! En el Chocó, *Primer Informe*, 9.
[237] Ibid, 14.

treated like "human shields" by the warring parties.[238] The report concluded with an urgent plea that the ELN and Colombian state initiate a humanitarian dialogue in Chocó with the expressed goal of bringing a swift end to armed hostilities in the region, and later resume peace talks on a national level.

In November 2019, a third segment of the Humanitarian Agreement was published. Its primary purpose was to draw attention to the increasing occurrence of forced displacement and forced confinement in Chocó. Beyond this, the document serves as a testament to the worsening of the humanitarian crisis in the department. It states that the conflict has "*asumido las características de una guerra contra la población civil*."[239] To reinforce this point, the text then offers a comprehensive overview of the most recent incidents of violence in each subregion of the department. Another defining feature of the third report is its critique of the state's intervention in Chocó. The authors of the report assert in no uncertain terms that the government had failed to make any progress whatsoever regarding the features laid out in the Ethnic Chapter.[240] Instead, the state had merely maintained its military intervention in the region which, rather than improving security, further aggravated the humanitarian crisis.[241] In the eyes of the authors, this reality stands as definitive proof that political dialogues, not military action, offer the only real hope to ending the revitalized conflict in Chocó.

Pacto por la Vida y la Paz

On September 10, 2020, a consortium of 134 organizations from the departments of Chocó, Valle del Cauca, Cauca, and Nariño joined together in a virtual format to ratify the *Pacto*

[238] Ibid, 9.
[239] Comité de Seguimiento al Acuerdo Humanitario ¡Ya! En el Chocó, *Tercer Informe,* 6.
[240] Ibid, 4.
[241] Ibid.

por la Vida y la Paz. Promulgated by the CIVP, the *Pacto por la Vida y la Paz* is a proclamation that seeks to bring an end to the armed conflict through negotiations rather than military force. According to the document's preamble, the *Pacto* was launched in response to four specific facts: the continuation of the armed conflict, the weak implementation of the 2016 peace agreement, the breakdown in talks between the ELN and the Colombian government, and the growth of illegal economies.[242] In a more general sense, the *Pacto* reflects the common belief that the state has turned a blind eye toward the recent resurgence of violence in the Pacific and southwestern regions of Colombia, and that citizens must therefore take the initiative to foster peace.

Motivated by this belief, the CIVP drafted the *Pacto por la Vida y la Paz* which contains 13 demands that seek to achieve the demilitarization of ethnic territories, respect for human rights, and an end to the armed conflict through dialogues. These demands include the comprehensive implementation of the 2016 peace accords, the enactment of an immediate, unilateral ceasefire to be respected by all legal and illegal armed forces, and a direct end of forced recruitment, kidnapping, and illegal occupation of land.[243] The *Pacto* further calls on the state to create mechanisms of accountability and transparency for the Colombian armed forces, and to also resume peace talks with the ELN.[244] Additionally, the *Pacto* states that all armed parties must recognize that ethnic communities have a legal claim to autonomy and collective land ownership.[245]

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[242] Comisión Interétnica de la Verdad de la Región del Pacífico, PACTO POR LA VIDA Y LA PAZ, DESDE EL PACÍFICO Y SUROCCIDENTE PARA TODA COLOMBIA," *Verdad Pacífico,* September 10, 2020, https://verdadpacifico.org/pacto-por-la-vida-y-la-paz-desde-el-pacifico-y-suroccidente-para-toda-colombia/.
[243] Ibid.
[244] Ibid.
[245] Ibid.

The CIVP and its partners recognized that the success of the *Pacto* is predicated in large part on the amount of support it receives from the Colombian people, thereby prompting them to engage in a multifaceted public outreach campaign. Prior to the official launch of the *Pacto*, members of the Catholic Church sent the Christ of Bojayá, a relic from the 2002 church bombing that killed dozens of civilians in Bojayá, Chocó, to various dioceses along the Pacific Coast region to promote the regional peace initiative.[246] The Christ of Bojayá has become synonymous with the damage the armed conflict has inflicted on Colombian society, and it's association with the *Pacto por la Vida y la Paz* served as a visual reminder of not merely the moral force behind the movement but also denotes the Catholic Church's strong endorsement. The CIVP also took advantage of social media networks to garner support for their call for peace. The official launch of the *Pacto por la Vida y la Paz* was transmitted live through Facebook and YouTube. During the broadcast, well known public figures and celebrities including Leyner Palacios Asprilla, the archbishop of Cali, and members of the famous musical group ChocQuibTown reminded their audience that peace was possible with their support. To date, numerous ethnic groups, government officials, gender-based organizations, workers unions, journalists, businesspeople, academics, artists, and members of the general public have come out in support of the CIVP's initiative. Although the *Pacto* has found widespread support throughout Colombian society, its true success will be determined by the groups whom it hopes to influence, namely the state and the ELN.

[246] "Convocan pacto por la vida para el Pacífico y el suroccidente colombiano," *Semana,* September 9, 2020, https://www.semana.com/nacion/articulo/choco-valle-cauca-y-narino-convocan-a-un-pacto-por-la-vida-y-la-paz/702196/.

Chapter Four Conclusion

The demobilization of the FARC-EP dramatically altered the nature of Colombia's insurgency movement, creating new opportunities for the smaller ELN movement. From one perspective, the group stood at the threshold of new power, poised to assume control over the FARC-EP's former drug networks and regional strongholds. From another perspective, the ELN witnessed that it was possible to bring an end to a decades-long insurgency through a compromised peace agreement. To date, the ELN has attempted to capitalize off of both opportunities, lobbying for peace negotiations while simultaneously carrying out assaults against the state. Current Colombian President Ivan Duque has made it clear, however, that he will not resume peace talks with the ELN as long as the group continues to engage in its military operations against the state. Once again, it appears as if the prospects for peace with the guerrilla group have stalled. For the inhabitants of Chocó, the breakdown in negotiations is unacceptable. While the ELN and the Colombian government ponder potential peace, *Chocoanos* suffer the daily consequences of armed conflict. Ethnic communities' social fabrics have been broken and their human rights have continuously been trampled on, new generations have been exposed to the horrors of the internal conflict, and local trust in the state has further eroded. *Chocoanos* have employed numerous strategies to draw attention toward injustices that have taken place in Chocó since 2016. Moreover, they have repeatedly called for the ELN and Colombian government to agree to a unilateral ceasefire in Chocó as a humanitarian gesture until both sides are able to strike a peace deal. The Duque administration seems to have rejected this plea, preferring instead to try to defeat the ELN through military force. As things stand now, it seems as if neither the ELN nor the state is willing to walk the *Chocoano* path toward peace.

Conclusion

The ratification of the "Final Agreement to End the Armed Conflict and Build Stable and Lasting Peace" offered Colombia an opportunity to end the nation's armed hostilities and transform the social conditions which fueled them. The recent proliferation of violence in Chocó has shown that rather than end, the armed conflict has actually reconfigured with new key players. Although the violence that has occurred in Chocó may seem distant and unrelatable to the rest of the nation, the events that have taken place there have meaningful implications for Colombia as a whole. This is especially true in the context of the peace building process. The presence of illegally armed groups in Chocó undermines the rule of law in the department. Their ability to control territory and inflict violence upon vulnerable *Chocoanos* reveals the weakness of the Colombian state and underscores the need for the government to demobilize the nation's remaining illegally armed groups. The latest episodes of violence have demonstrated that as long as groups like the ELN and AGC are able to operate in the department peace will remain elusive and *Chocoanos* will continue to live with the fear of becoming victims of armed conflict.

Having removed the FARC-EP from the battlefield, the Colombian government must now direct its focus on re-establishing meaningful peace dialogues with the ELN. Angela Salazar, the former *Comisionada de la Verdad para el Pacífico*, captured the sentiments of many when she said: "*Hoy más que nunca los pueblos y comunidades étnicas del Pacífico se levantan para decir ¡No queremos más guerra!"* Yet the clamors for peace coming out of Chocó seem to have fallen on deaf ears. Neither the ELN nor the Colombian government has made any meaningful gesture in response to *Chocoano* efforts to secure a humanitarian ceasefire or to resume peace negotiations. Instead, Colombia's path toward peace with the ELN has been bogged down by the internal division amongst the guerrillas' ranks and the Duque

administration's preference for a military solution. Change, however, may be on the horizon. In 2022, Colombians will return to the polls to elect their next president. The upcoming presidential election in Colombia is currently shaping up to be a contest between Duque and a group of candidates committed to promoting peace.[247] It stands to reason that if Duque is reelected then Chocó will continue to be subjected to another four years of heightened military confrontations. Yet, if one of the opposition candidates, such as senator Gustavo Petro or former vice president Humberto de la Calle, proves to be victorious then the Colombian government will likely take another shot at ending the ELN's insurgency through political dialogues. In the meantime, the burden of constructing peace in Chocó will remain on the shoulders of those who continue to be victimized by the conflict.

[247] Adriaan Alsema, "Colombia 2022 election poll: peace advocates marginalize Duque allies," *Colombia Reports*, August 14, 2020, https://colombiareports.com/colombia-2022-election-poll-peace-advocates-marginalize-duque-allies/.

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