



**IN TRANSFORMATION
INITIATIVE**

Supporting Transition in Colombia



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EXECUTIVE SUMMARY

This case study documents lessons learnt from In Transformation Initiative's (ITI) intervention in the Colombia peace project. The case study is based on ITI internal documentation on the project, and interviews with directors and a former official at the Colombian Embassy to South Africa. Relevant mainstream literature was used to support emerging lessons.

Colombia endured an armed conflict for close to five decades, chequered with a series of failed peace deals. The widely documented peace negotiations under President Juan Manuel Santos that led to the peace deal between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC) lasted four years, from 2012 to 2016.

Roelf Meyer was the first ITI director to be involved in the Colombia peace project through fortuitous meetings with the then Colombian ambassador to South Africa in 2007 and a cultural attaché in 2010. Roelf then had a meeting with President Santos, who expressed great interest in learning from the South African transition experience. The formalisation of the peace negotiations in Colombia in 2012 coincided with the founding of ITI.

The ITI intervention in Colombia was focused on advising and helping the government of Colombia and FARC, which was based in Havana, Cuba, to prepare for peace negotiations based on the South African experience. The ITI team conducted scoping visits to make diagnostic assessments to determine the appropriate strategy. The intervention included facilitating dialogue between all the stakeholders guided by the principles of inclusivity, trust and ownership.

ITI also conducted a series of meetings with top government and FARC leaders, as well as with business, civil society and grassroots organisations. In addition, it hosted two Colombian delegations in South Africa.

The following lessons emerged from ITI's Colombian peace project.

- Understanding the conflict context is critical in facilitating a locally derived peaceful solution.
- The effective application of the principles of inclusivity, trust and ownership enables conflicting parties to look beyond political and other differences and embrace a common goal.
- Direct contact with top leadership in a conflict situation facilitates timely and informed decision-making and adoption of recommendations for peacebuilding.
- Political capital and strategic networks are critical for accessing political elites and other key stakeholders in peacebuilding.



Understanding
the conflict context is
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peaceful
solution

- Facilitating dialogue between stakeholders provides opportunities for transformative moments that build momentum in peacebuilding and increase the likelihood of a mutually agreed-on peaceful solution.
- The South African transition experience remains a globally respected historic phenomenon and many countries continue to show interest in learning from it.



Source: BBVA

April 2013:
Citizens march in
support of the peace
process in
Colombia

INTRODUCTION

This case study forms part of a series of country case studies to document lessons learnt in the last seven years that In Transformation Initiative (ITI) has been in operation. The lessons-learnt study is intended to document the implementation and efficacy of ITI's principle-based approach to peacebuilding grounded in the South African transition experience. It is expected that the lessons learnt will contribute towards documenting and strengthening the ITI 'model' in peacebuilding. The case studies will also be shared with practitioners in conflict management and peacebuilding to provide opportunities for reflection and dialogue around the peaceful resolution of conflict.

The case study is based on ITI's project and annual reports; interviews with ITI directors¹ and a Colombian² national who was part of the Colombian government and involved in the peace negotiations; and publicly available literature on peacebuilding and conflict management and resolution.

BACKGROUND

Colombia has been ravaged by the war between armed militia groups and the government that lasted close to five decades. Several armed groups took part in this war, the most significant being the Revolutionary Armed Forces of Colombia (FARC). FARC emerged from the Communist Party of Colombia during the Marxist movement and controlled a significant part of the country in its conflict with the government. The war was marked by several failed attempts at peaceful negotiations. For example, peace negotiations in the early 1980s led to the partial disarmament of FARC and a ceasefire agreed to by both sides. However, this was short-lived as a new political party emerged with some FARC members as its founders. The ceasefire collapsed and war resumed.

Interventions by such countries as Venezuela and Mexico gave a glimmer of hope in the 1990s, but also failed to result in lasting peace. It was not until in 2010 that President Juan Manuel Santos resumed peace talks with FARC. His predecessor, former president Alvaro Uribe, had been opposed to the idea of negotiations; reiterating that he would thwart the rebels during his term. Secret negotiations between President Santos's government and FARC started in 2010. These negotiations were formalised in 2012 and continued until 2016.

ITI INTERVENTION

The involvement of ITI in the Colombian peace process evolved over time through an organic process that included the current ITI directors and many other high-profile individuals who had been part of the South African transition to democracy. The earliest account of ITI's involvement in Colombia came in 2007 through the then Colombian ambassador to South Africa, who had



been involved in Colombian peace processes. The ambassador introduced Roelf Meyer to then President Uribe in the hope that he could provide advice on the peace process in Colombia, based on the lessons learnt from the South African experience. However, President Uribe seemed disinterested in taking this opportunity and as such no headway was made.

Another account of how ITI became involved in Colombia points to Santiago Uribe Rocha, who came to South Africa in 1996 as an exchange student at the University of the Witwatersrand, and was studying anthropology. Santiago became interested in the South African transition experience and ended up studying Roelf Meyer in his role as chief negotiator during the peace negotiations. Santiago later arranged for Roelf to meet with President Santos, who had taken office in 2010. Unlike his predecessor, President Santos and his government were keen to learn from the South African experience.

These developments took place during ITI's formative years and as such the interactions with Colombian officials were directly with Roelf Meyer in his individual capacity. Other ITI directors got involved at a later stage. As part of the interventions, ITI associates, including Albie Sachs,³ Howard Varney⁴ and Judge Johann van der Westhuizen,⁵ also visited Colombia to share the South African experience.

The ITI intervention in Colombia was focused on advising and helping the government of Colombia and FARC to prepare for the peace negotiations. After decades of war and multiple failed peace deals, the need for a peaceful resolution was generally shared by both the government and FARC. Although there was optimism about a peaceful resolution in Colombia, there was always the risk of an insurgency by the rebels. There were also other constituencies within Colombia that were opposed to the negotiations. Furthermore, the fact that the negotiations were to be conducted in Havana polarised the country.

The general sentiment was that preparations for and the actual negotiations were isolated and disconnected from the Colombian populace and appeared to be shrouded in secrecy, leading to intense speculation among the public.

Throughout its engagement in Colombia, ITI continually sought to deepen its understanding of the conflict in order to offer relevant and timely advice. The above contextual risks influenced ITI's engagement strategy, as will be discussed below.



The need for a peaceful resolution was shared by both the government and FARC

LESSONS LEARNT

This case study is based on the sharing of the South African experience of a peaceful transition. This is the hallmark of ITI initiatives in the region and globally. The South African experience was informed by a number of principles and processes that contributed to a successful end to apartheid and ushered in a democratic dispensation. These principles and processes remain relevant to many countries that are going through conflict and searching for peaceful resolutions globally.

This case study shows how some of these principles and processes were applied in the Colombian context and what lessons emerged as a result. These lessons are extracted through analysis of ITI's methodological approach, the application of the key principles and processes, the recommendations made and the impact thereof.

LESSONS LEARNT FROM ITI'S GUIDING PRINCIPLES

From its establishment, ITI's interventions in peacebuilding were based on three core principles: inclusivity, trust and ownership. These principles were derived from the South African transition process, where they were considered to have contributed significantly to a peaceful resolution. Evidence suggests that these principles should always form part of an intervention strategy focused on conflict management and resolution. Thus, ITI has conducted all its peacebuilding interventions on a principle-based approach.

Throughout its work in peacebuilding in Africa and globally, ITI has primarily focused on these principles of inclusivity, trust and ownership. Many failed peacebuilding interventions illustrate the difficulty in facilitating sustainable solutions that are binding to the conflicting parties. As a result, countries tend to experience relative but temporary peace before this collapses and the conflict resumes. Based on its experience of the South African transitional process, ITI's principle-based approach is rooted in a practical understanding of the factors that can prevent peaceful resolutions to conflict. These include stakeholders feeling left out, lack of trust among warring parties, and lack of participation in shaping the peaceful solution. The application of the principles of inclusivity, trust and ownership has proven to be effective and has contributed significantly to the facilitation of peacebuilding processes in many contexts.

Promoting Inclusivity in the Colombian Peace Project

The principle of inclusivity demands that all parties, with varying levels of power and influence, be included in the negotiations for peace. The principle ensures that the interests of all stakeholders are known and accommodated in the best way possible. It thus curtails the possibility of sabotage by stakeholders who might have been left out of the process.




Although this principle might give rise to deadlocks during peace negotiations owing to competing interests and priorities, it gives peace-building practitioners the opportunity to find alternative ways of resolving conflict. The South African experience provides some strategies of how to deal with these challenges. The quest by ITI to instil this principle in Colombia was highly evident and can be credited with contributing to the readiness of the Colombian government and FARC to take part in the peace negotiations.

When ITI began work in Colombia it emphasised that a peaceful resolution could only be reached through an inclusive process. Therefore, on the several trips that Roelf Meyer made to Colombia between 2007 and 2012 he insisted on meeting with different stakeholders. When ITI was formally constituted into an organisation in 2013, other directors also undertook a series of official trips to Colombia for consultative meetings with various stakeholders, including government, civil society, business and grassroots community organisations. At that time, Roelf was appointed as an external advisor on the peace process to the Colombian government. As an advisor and through ITI he emphasised the need for all relevant stakeholders to be represented in the peace process. The ITI team shared evidence from the South African experience to demonstrate how the principle of inclusivity had given birth to a rainbow nation.

Given the context in Colombia where FARC, a significant party to the peace process, was based in Havana, ITI had to adopt a two-pronged approach. This approach resulted in ITI directors' making parallel trips to Colombia and Cuba to ensure that all stakeholders were consulted and included in the preparations for the peace negotiations. While Roelf and Ivor Jenkins focused on advising President Santos and meeting with government officials and various stakeholders in the country, Ebrahim Ebrahim and Mohammed Bhabha travelled to Havana to meet with FARC rebels and assist them to devise a strategy for the peace negotiations.

ITI's insistence on inclusivity had a significant impact in the Colombian peace process. The government accepted and implemented the idea of engaging with all stakeholders in the peace process, including so-called 'enemies'. ITI used icebreakers to get the different parties to talk to each other. For example, one icebreaker involved having one-on-one meetings with groups of individuals from one party to establish their perceptions on dialogue. Through these engagements ITI would persuade the different parties to participate in dialogue sessions. The one-on-one meetings paved the way for multi-stakeholder dialogue sessions facilitated or attended by ITI. Through these dialogue sessions ITI emphasised that peace does not come through official announcements but through people working together from the local level and going up the system.



ITI's
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peace process

Globally, inclusivity in peacebuilding is viewed as the approach mostly likely to lead to a sustainable peace deal.⁶ In most political conflict situations, exclusion from peace negotiation processes is still rampant. This is fuelled by a fear of losing political power and being economically marginalised, or when one party has the arrogance to think that it can dominate and win without any collaboration with the other conflicting party. However, it is increasingly acknowledged that an inclusive peacebuilding process includes not only the chief negotiators and representatives of the major parties in a conflict but also those affected by the conflict, so that their needs and concerns can also be addressed in the process. Therefore, ITI advised the Colombian government to speak to all parties, including the opposition.

Consulting with a wide range of stakeholders enabled ITI to gather a wealth of information regarding the needs and circumstances of these stakeholders. This information enabled ITI to provide informed and practical advice to those involved in the peace process to ensure that the negotiations addressed all relevant issues. The one thing that made inclusivity a challenging idea in Colombia was the tendency to refer to the opposition as 'enemies' or FARC as 'rebels' or 'terrorists'. The protracted armed conflict between the Colombian government and FARC which lasted five decades and had resulted in the death of over 200 000 people, with many more displaced from their homes, had obviously created huge animosity. There was also a high level of mistrust among the stakeholders, especially between government and FARC as a result of failed peace deals in the past. These past attempts to broker peace in Colombia focused on FARC as being the major threat to stability in the country.

Over time and as the armed conflict escalated, FARC was considered as a terrorist group and accused of drug dealing, kidnapping, and illegal mining to fund its operations. It is this historical reality that made mobilising stakeholders a challenge. Although the government was willing to open the peace process to other stakeholders in principle, in practice the peace negotiations were conducted only with FARC.

Building Trust between the Colombian Government and FARC

The principle of trust is significant for both the stakeholders in the conflict and the facilitators. Negotiating parties need to be confident that they are committed to a peaceful solution. The case of Colombia, where the conflict was intractable, showed the importance of stakeholders trusting the facilitators in order for them to participate. Equally important was fostering trust among the various levels of stakeholders. Thus, events in Colombia demonstrated that the legitimacy of the facilitators and the outcome of the negotiating process ride on the level of trust shown by all stakeholders towards each other.

As stated by Interpeace, an organisation dedicating to peacebuilding, trust is a key ingredient without which peacebuilding efforts can be futile. There



can be no reconciliation without trust. Thus, a lack of trust among negotiation parties can be a deal-breaker. As is usual in conflict situations, trust between the Colombian government, opposition political parties, FARC and various other stakeholders was low in the build-up to the peace negotiations. There were clear political differences and competing interests that escalated tensions between groups.

It is possible that Colombia could have gone about the peace process in a different way. But it is clear that trust had to be cultivated in order to facilitate preparations for the peace negotiations between the government and FARC.

FARC was stationed in Havana and regarded as terrorists, and as such going to Colombia raised security concerns. The opposition was also less reconciliatory and opposed to the negotiations. Although President Santos supported reconciliation, the FARC leadership initially was concerned about the fact that ITI was also advising the government. However, ITI emphasised the value of impartiality on its part and the significance of inclusivity and trust between the negotiating parties. Through sharing the South African experience on the guiding principles to some extent, ITI helped to diffuse tensions between stakeholders, managed to bring them together and encouraged them to engage with each other.

The other dimension of trust rested on how the various stakeholders viewed ITI as an advisor. Having been invited by the Colombian government to share the South African experience suggests that President Santos already had a level of trust in ITI. As discussed earlier, this trust had its origin in a meeting between Roelf and Santiago Uribe Rocha, who is currently Medellin's first Chief Residence Officer in Colombia.

Both President Santos and his government and FARC were interested in learning about the South African experience. Thus, ITI leveraged the historic and global recognition of this experience. In addition, other ITI directors also have political capital, local government and civil society mobilisation experience that gained them the trust and respect of all stakeholders.

A significant incident that occurred in Havana helped to increase FARC's trust in ITI. One of the ITI trips to Havana coincided with an official state visit to Cuba by then Deputy President Cyril Ramaphosa.⁷ The ITI team invited Ramaphosa to address the FARC leadership at a breakfast session during which he elaborated on the South African experience of transitioning to democracy, including his role as the ANC's chief negotiator. This gesture and interaction was well received by the FARC leadership and validated its trust and confidence in ITI.

Both sides of the negotiating table were convinced that ITI had no ulterior motives other than to help them craft a strategy to engage in the peace negotiations. ITI always took a neutral position, respected all stakeholders



and engaged with them in a professional way, a point that was highlighted by Santiago.

Facilitating a Colombian Solution Owned by the Colombian People

The principle of ownership suggests that stakeholders in the conflict should own both the process and the outcome. In peacebuilding there can be no sustainable solution without ownership. Forced peace deals, whether through the military or sanctions, tend to collapse sooner or later. Without ownership of the peace process and outcome, the conflict tends to mutate and persist.

The principle of ownership is thus central to the sustainability of any peacebuilding effort. As an organisation, ITI's philosophy of domestically developed solutions to conflict is grounded in the principle of ownership. Ownership includes inclusive participation by all stakeholders and the accommodation of all interests in ways that do not disenfranchise other sectors of society.

In Colombia, ITI facilitated inclusive participation and, while sharing the South African experience, emphasised that the stakeholders should come up with a Colombian solution. Thus, stakeholders needed to view the South African experience as a benchmark and use this to adapt solutions to the Colombian context. The focus on inclusivity was meant to ensure the representation of all the key sectors of society, including government, business and civil society, in order to craft a solution that was likely to be accepted by all.

Although ITI made recommendations to both FARC and the government in an advisory capacity, it remained incumbent upon them to make choices and decisions and then own these. For instance, ITI recommended that neither party should go into the negotiations with preconditions, to which they agreed. This demonstrated their willingness to come up with a solution that would be agreeable to both sides.

Preconditions are a potential deal breaker in peace negotiations. If one party insists on pre-conditions and they are rejected, there is a danger that peace negotiations may fail to get underway. Having seen that FARC was pinning all its hopes on reconciliation, ITI also recommended that FARC go into the peace negotiations with a fall-back position. While the rationale of the recommendation was acknowledged, FARC never revealed its back-up plan for peace in Colombia. However, the negotiations culminated in a positive outcome in the form of the peace deal. The question that remained was the implementation of that peace deal to demonstrate ownership of the agreement.

There is widespread acknowledgement that national ownership is a key piece of the process of ensuring peaceful and lasting solutions. However, for



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ownership to be effected peacebuilding practitioners need to understand the meaning of ownership. For instance, ownership should not be considered only at the level of domestic political elites, whose interests may be self-serving. Ownership has to be understood in a broader context that defines who the owners are in each situation, ensuring that there are sufficient peacebuilding resources in the country to guarantee that the process is locally driven. In the Colombian case, ITI's advisory focus was on mobilising stakeholders to create a strong moderate centre to anchor the peace process and increase the chances of success and of outcomes that could be owned by all stakeholders.

LESSONS LEARNT FROM APPROACHES INFORMED BY ITI'S GUIDING PRINCIPLES

ITI has worked in more than 20 countries in the past seven years. Although each project has brought unique conflict challenges, ITI's methodological approaches have remained rooted in the guiding principles of inclusiveness, trust and ownership. Over time, it has applied these approaches with remarkable success.

High-Level Access

One of the approaches to peacebuilding characteristic of ITI is its focus on political elites in all its interventions. ITI often gains direct access to these political elites based on its own high-level political capital. In other cases, ITI accesses these leaders and influential people through its extensive network of equally high-level individuals and institutions. The focus on high-level access is premised on the critical role top leadership plays in decision-making and galvanising support in their constituencies. Thus, getting top leadership in any conflict to commit to the peace process paves the way for a possible peaceful resolution. It should be stated that targeting high-level leadership is not designed to promote a top-down approach to peacebuilding. Rather, it has been proven that having proactive and committed leadership, as Nelson Mandela demonstrated in the South African case, is critical in organising the masses through appropriate messaging and transparent decision-making mechanisms.

In the case of Colombia, ITI engaged directly with President Santos and his top government officials, including the Minister of Defence and the Attorney General. Access to the Colombian government was facilitated by Santiago (mentioned earlier), who was with the Colombian Embassy in South Africa at the time. The Minister of Defence was interested in understanding the role of the armed and security forces in peace negotiations. This was critical given the presence of armed militias within the country and of FARC in Havana. At the time there was no commitment by the government to accommodate the FARC militia in the national military.



However, it was evident that military personnel were highly professional and well trained. Although the military strove to remain neutral and serve the government of the day, the frequent changes in political party leadership put significant strain on their ability to do so. Furthermore, the peace talks challenged them even further to transform and adapt to the new reality that was unfolding during the time.

The Attorney General was interested in understanding how South Africa had handled the constitution-making process, among other aspects of the peace process. Therefore, having direct access to the President of Colombia and senior government officials had the potential to positively impact the peace process.

Outside of government, ITI also met with civil society and business leaders to discuss their role in the peace process. At one stage Ebrahim was invited to participate in the Culture, Peace and Transitional Justice Forum and shared the South African experience on reconciliation, reparations and guarantees of non-recurrence of hostility and violence. This forum brought together a diverse range of stakeholders, including government, business and civil society, as well as grassroots organisations. Indirect access to these leaders and influential people was key in encouraging debate on the peace process with the possibility of galvanising society towards a peaceful and lasting solution.

On the one hand, ITI's engagement with civil society organisations active in the field of political transformation and transitional justice revealed that the sector was well organised and had good leadership with particularly strong women at the helm of some of the organisations. It was also evident that the sector was well connected to global debates and had good networks with international partners. The organisations were relatively well resourced and well connected to government and opposition formations.

Ultimately, there was little that South Africa's experience with civil society could add to their work, other than giving support and advice since they were operating with a clear vision and focused goals. On the other hand, ITI had limited engagement with the business community. ITI had a sense that the business community was reluctant to engage in political discourse and were content to operate within the existing context at the time.

In Havana, ITI met with the FARC senior leadership, who was also keen to learn from the South African process. This high-level access resulted in FARC's sharing a proposal that it had developed in preparation for the peace negotiations with the Colombian government. Part of this proposal included its conditions for reparations and reconciliation. Thus, ITI had the opportunity to address this potential deal-breaker by suggesting that FARC should consider possible constitutional solutions and enter the negotiations without any preconditions. The ITI team also discussed with FARC leadership the possibility of merging FARC rebels and other armed militias with the




Colombian army. While it was necessary to contemplate this at the time, ITI felt that FARC was too conciliatory and seemed not to have a fallback position if the disarmament proposal were to fail. ITI's concern was about dealing with the livelihood options of a number of well-trained militia who had been fighting in the forests for most of their adult life and who now might be expected to lay down their arms. Failing to address this question ahead of time could be a danger to the peace process, as well as to the FARC leadership and the nation in general.

The foregoing demonstrates the importance of having high-level access. In the Colombian case, although FARC was already considering reconciliation, the advice given to the leadership strengthened its resolve for a peaceful resolution. Both FARC and the government agreed to enter into the peace negotiations with no preconditions. Although the issue of merging FARC and other armed groups with the Colombian military to form a national army was discussed, it remained the responsibility of the concerned parties to make the necessary preparations. ITI also assisted FARC from a technical perspective to draft the relevant documentation it would need going into the negotiations. The South African experience demonstrated the significance of having specific skills required in preparing for peace negotiations. While negotiations may occur at a high level; there is also need for research and other skills such as drafting technical reports and briefs; and a clear understanding of constitutional issues associated with the peace negotiations. While in Havana, ITI helped FARC to draft documents outlining the major issues they considered critical for a peaceful negotiation. This was particularly important in order to shape the messaging to provide clarity and eliminate unnecessary ambiguities with regards to their interests and expectations of the new and united Colombia.

Scoping Visits

In all its engagements, ITI always begins with a scoping visit. The number of scoping visits depends on the nature and complexity of the conflict and the number of stakeholders that may need to be consulted. The purpose of these visits is to meet and consult with key stakeholders in order to get a deeper understanding of the conflict. The scoping visits thus form a diagnostic phase from which ITI considers all available options before developing a strategy aimed at achieving the best outcomes.

In the Colombian case, ITI made several scoping visits to Colombia to engage with President Santos and senior government officials. On these scoping visits ITI observed that the government was not homogenous and not everyone in the government supported the peace negotiations. Further visits were made with the intention of building a strong relationship with the government. While the opposition in Colombia was completely against the negotiations, ITI established that the FARC leadership was more reconciliatory and was preparing for the peace negotiations.



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The opposition, including former President Uribe, fiercely challenged and rejected elements of the proposed peace deal, particularly the clauses addressing elements of justice and the FARC's future political participation. According to the peace deal, if war criminals fully cooperated with the government, they could evade prison. For the opposition, this suggested that FARC commanders suspected of human rights abuses and war crimes could still participate in Colombian politics after the negotiations if they collaborated fully with the authorities. In contrast, the opposition was more inclined towards harsh sentences for war criminals and a ban on former rebels holding public office. It was on that basis that the opposition was opposed to the peace negotiations. However, based on these diagnostic assessments, ITI came up with a strategy to provide advisory services to pave the way for a successful peace negotiation process.

Within the government, ITI decided that the best strategy was to help the government build a critical mass of moderate but influential individuals in order to increase the likelihood of successful peace negotiations. This was considered important at the time given the on-going tensions between the government and FARC rebels. After several failed attempts at restoring peace in Colombia, these negotiations were widely expected to be successful. Thus, increasing the number of moderate but influential individuals would most likely reduce the influence of hardliners in the Colombian government and thereby enabling the negotiating parties to reach a peaceful agreement.

In Havana, ITI decided to provide strategic and technical support ahead of the negotiations. The role of ITI was therefore considered to be focused on assisting both the government of Colombia and FARC, including other stakeholders, in preparing for the peace negotiations, benchmarked against the South African experience.

Hosting Colombian Delegations in South Africa

ITI also hosted delegations from Colombia in South Africa. This was meant to provide opportunities for groups and individuals from conflict areas to visit South Africa and engage with and learn from South Africans directly involved with the peace and transformation processes in the country. Two such delegations were hosted during the ITI intervention between 2013 and 2016.

The first delegation⁸ was small and consisted of five people from the Ministry of Justice and the Attorney General's office, and a representative of the peace process. The choice of the delegates was decided by the Colombian government based on their focus of interest in the South African experience. Given the context of the armed conflict in Colombia, the government was keen to understand how South Africa managed the transition to democracy.



In Colombia, the opposition felt that the peace negotiations were too lenient to FARC when it came to the issue of justice. It is most likely that the Ministry of Justice in the Colombian government was keen to understand how the South African justice system dealt with the issues of apartheid-era crimes. A great deal of interest was aroused among the delegates, resulting in a second and bigger delegation returning in early 2015. This delegation comprised 12 advisors and officials from the Colombian government and other stakeholders.

On both visits delegates were exposed to various aspects of the South African experience through meeting and interacting with officials. The Truth and Reconciliation Commission (TRC), the South African peacemaking process and transitional arrangements formed a major part of the discussions. During the engagements the emphasis by ITI was on all stakeholders' working together to come up with a Colombian solution. The government of Colombia was also urged to develop its own structure for a peace and reparation process, with a focus on restorative rather than punitive justice in dealing with past conflicts.

The hosting of delegations is a strategy to facilitate interaction and dialogue among stakeholders in a neutral venue. During the process, delegates reflect on lessons and share their views. Through this process dialogue is initiated. Whatever the nature of their conflict, it is likely they will find common areas of agreement in terms of the South African experience. They might also realise that they actually seek the same outcomes. Beyond learning about the South African experience, stakeholders are also likely to engage with each other and may (for the first time) engage in genuine social conversations that can help to change their perceptions of one another, and so create further opportunities for dialogue.

Context-Specific Approach

The multitude of failed peace deals across the globe increasingly proves that lasting solutions can only be achieved through understanding and responding to unique conflict contexts. Globally, peace approaches that have worked in particular contexts have failed dismally in others. This has led peacebuilding practitioners to conduct conflict analysis in order to gain a deeper understanding of the situation in each context and then developing suitable approaches to address the conflict.

As an organisation, ITI has always been mindful of the need for custom-made solutions as opposed to a one-size-fits-all approach. In this case, in its scoping visits to Colombia ITI consulted with a diverse range of stakeholders. The conflict situation in Colombia was such that plans were made to hold the peace negotiations outside the country. This polarised the country, as other constituencies felt that the peace process was too removed from stakeholders, including the diplomatic community. Most importantly, the process was said to be far removed from citizens. Although ITI recommended



that the negotiations be moved in-country, this was not done. In responding to this situation, the ITI team adopted a two-track approach and worked with the government in Colombia while also advising FARC in Havana. This demonstrated the agility and flexibility of ITI to respond to the conflict context and come up with an effective approach.



This demonstrated the agility and flexibility of ITI to respond to the conflict context

TRANSFORMATIVE MOMENTS

Through sharing the South African experience, ITI has observed that individuals typically report significant moments that alter their perspective of their conflict or the manner in which they were dealing with it. These 'aha' moments are very revealing and their documentation can be of vital importance in demonstrating the impact of ITI's work in each intervention. In the Colombian case, transformative moments were noted during the hosting of delegates in South Africa.

ITI proved to be effective in exposing these delegates to an alternative peacebuilding process. It appears that delegates experienced such transformative moments as they learnt more of the South African experience. For example, a presentation on how South African peace negotiators met and went about preparing for the negotiations was eye-opening for many delegates. It made them realise how important it was to have negotiators who were skilled, tolerant of divergent views and articulate in capturing the fears and hopes of all involved. Just as crucial were facilitating constructive discussions and negotiating matters that could stall the talks.

Another significant moment came during a presentation on how the TRC members were selected. The South African experience demonstrated that for the process to be credible it had to be public and able to withstand public scrutiny. Furthermore, the focus had to be restorative as opposed to punitive. Based on this Colombia established its own institution akin to the TRC and named it the Truth and Social Cohesion Commission. This commission was based on Colombian experiences and designed to redress past mistakes, as well as guide current and future generations to engender peaceful coexistence within communities.

Back in Colombia, Santiago recounted a transformative moment during a City Council meeting on security, prevention of violence and peacebuilding where Roelf Meyer was also in attendance. This was an extraordinary meeting and the Ministers of Justice and Defence, as well as officials from human rights organisations were invited to attend. After all the introductions were made and protocols were observed Roelf got up and asked the organisers, 'Where are the FARC and para-military representatives? You cannot be talking about peace with your friends'.⁹ It is said that this took everyone in attendance by surprise, both in its boldness and in its truth. It was then agreed to reach out and contact so-called enemies and invite them to subsequent meetings. This marked a turning point in the build-up to the peace talks, as the government and stakeholders became more tolerant of each other and held joint meetings.

Another transformative moment was mentioned by Santiago. He attributed a major shift in the way the government and other parties regarded each



How
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other and the process to a talk Roelf gave at one of the stakeholder meetings. It is recounted that Roelf said that 'the major source of conflict in any community or country is when someone or a group begins to feel superior to others'.¹⁰ This statement encouraged individuals close to the peace process to reflect on their conduct and that of their respective constituencies. It has stayed with many people, including Santiago, and is a key reflection point in his current work as Medellin's first Chief Residence Officer.

Capturing these transformative moments is a necessary and unique way of demonstrating how people in different conflict situations respond to the South African experience. These moments potentially change the direction of peace processes in various contexts and may improve prospects for peaceful resolutions. For ITI, these transformative moments were observed at the top leadership level, which brought a new understanding of the conflict that influenced the complexion of the peace process




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level

LIMITATIONS

The conflict context in Colombia was such that the peace negotiations had to be conducted outside the country. FARC, a significant stakeholder in these negotiations, was based in Havana owing to security concerns, as its members were widely regarded as rebels or terrorists in Colombia. This restricted the possibility of increased interaction between FARC and the government ahead of the peace negotiations. ITI did not view this as ideal in peacebuilding negotiations. Colombian citizens also felt as though the peace negotiations were too far removed from stakeholders and shrouded in secrecy.

One of the major limitations was the government's refusal to engage with previous Colombian president Uribe, one of President Santos' fiercest critics. Although ITI recommended that President Santos reach out to former president Uribe, the two remained irreconcilable.

The other limitation was that the peace negotiations were being conducted between the government and FARC, despite the fact that other militia and armed groups should also have been represented in the peace negotiations.



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CONCLUSION

The Colombian case study is an opportunity to reflect on the lessons learnt in ITI's intervention in the peace negotiations. The role of ITI was to advise the government of Colombia and help FARC to prepare for the peace negotiations. The emphasis on inclusivity enabled the Colombian government to look beyond political divisions and accept a range of stakeholders, including civil society, business and grassroots organisations, to form part of the consultative process.

The principles of trust and ownership proved to be pivotal through ITI's involvement. Historic and global recognition of the South African experience made it possible for all the stakeholders to trust ITI. Leveraging this, ITI facilitated the building of trust between stakeholders with an emphasis on coming together and focusing on crafting a Colombian solution to the conflict.

The targeting of top leadership in the government and FARC, as well as in business and civil society, added momentum to the peace process, as ITI was able to make recommendations directly to those leaders who could make decisions and influence their own constituencies. The scoping visits enabled ITI to gain a deeper understanding of the conflict and to come up with an appropriate strategy based on its analysis. The hosting of two Colombian delegations to South Africa further underlined the need for a peaceful resolution to the conflict after delegates had been exposed to possibilities based on the South African experience. Finally, the transformative moments described demonstrated the powerful impact of ITI's approach in Colombia.



Targeting
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PROJECT TIMELINE

2014

27-28 NOVEMBER

Bogota

Visit by Ebrahim Ebrahim to address the Third International Congress on Transitional Justice.

2014-2015

Havana

Two trips by Ebrahim Ebrahim and Mohammed Bhabha to assist the FARC leadership to prepare for negotiations and share the South African experience. Second trip by Mohammed Bhabha, Albie Sachs and Howard Varney to assist on the technical aspects of constitution-making and a Truth and Reconciliation Commission.

2015

24-31 JANUARY

Cape Town and Johannesburg

ITI hosts a delegation of 12 advisors and officials from the Colombian government to learn from the South African transition process.

25-31 MAY

Bogota and Medellín

Roelf Meyer and Ivor Jenkins meet President Santos, the Ministers of Justice and Defence, Attorney General, Mayor of Medellín, business community and other stakeholders to share aspects of the South African experience.

3-7 MARCH

Colombia

Judge Johann van der Westhuizen meets with the Ministers of Justice and Defence, Attorney General and the Constitutional Court to share the South African peace process and transitional justice, TRC and constitution-making experience.

12-15 AUGUST

Bogota and Medellín

Roelf and Albie Sachs meet with government officials and attend the annual conference of the President of the Supreme Court in Cartagena, where Roelf is a speaker. Also meet with the US Ambassador, USAID and IOM to discuss how the South African experience can be used to support the peace process in Colombia.

ENDNOTES

- 1 Roelf Meyer, interviewed on 28 April 2020; Ebrahim Ebrahim and Mohamed Bhabha, interviewed separately on 5 May 2020.
- 2 Santiago Uribe, interviewed on 14 May 2020. He was a Cultural Attaché at the Colombian Embassy in South Africa and participated in the Colombian peace process from 2012 to 2018. He is currently a Director at Corporación Oficina de Resiliencia de Medellín in Colombia.
- 3 Albert "Albie" Louis Sachs is an activist and a renowned former judge of the Constitutional Court of South Africa.
- 4 Howard Varney is a senior program adviser with the International Centre for Transitional Justice (ICTJ) with expertise in truth-seeking, national prosecutions, institutional reform, reparations, and public interest litigation. Howard is a practicing advocate at the Johannesburg Bar.
- 5 Former judge of the Constitutional Court of South Africa.
- 6 Donais, T.; McCandless, E. (2016). *International Peacebuilding and the Emerging Inclusivity Norm*. Third World Quarterly, DOI: 10.1080/01436597.2016.1191344
- 7 Matamela Cyril Ramaphosa is a South African politician and the fifth and current President of South Africa.
- 8 25–31 January 2015
- 9 Roelf Meyer at a City Council meeting in Medellín, Colombia, (May 2015).
- 10 Roelf Meyer at a stakeholder meeting in Colombia, (12–15 August 2015).