

Colombia Adopts Revised Peace Accord: What Next?

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In an effort to end a half [century](#) of armed conflict between the largest leftist insurgent group in Colombia, the Revolutionary Armed Forces of Colombia (FARC), and the Colombian government, a revised peace accord was signed in November 2016 by President Juan Manuel Santos and the FARC's leader, known as Timochenko. On November 30, 2016, the new accord was "ratified" by the Colombian Congress, first by the Colombian Senate by a vote of 75-0 (out of 101 Senators) and a day later by the lower house by a vote of 130-0 (out of 166). Congressional opponents either did not vote or walked out, and debate lasted for more than 10 hours in each chamber. Despite ratification of the agreement, Colombia's way forward remains uncertain for implementing the 310-page accord.

Background

Colombian voters surprised many on October 2, 2016, when, by a margin of 54,000 votes (out of 13 million cast) they [rejected](#) the original peace accord negotiated over four years of talks between the Santos government and the FARC held in Havana. The razor-thin margin revealed polarization over how to resolve the decades-long violent insurgency, fueled by the drug trade and other illicit businesses. Peace accord critics, led by popular former President, and now Senator, Álvaro Uribe, mobilized a [campaign](#) to reject the accord. The No campaign highlighted many perceived weaknesses, such as inadequate punishment for FARC violations, lack of an appropriate appeal for forgiveness from FARC fighters, and overly generous guarantees for FARC's future political role.

After the first accord was rejected, the Santos government met with opposition leaders and negotiated with the FARC to hammer out [a revised accord](#) over 41 days. Although the No campaign leaders largely [rejected](#) the changes agreed to by the FARC, the Colombian government asserted that the [modifications](#) had been significant, touching 56 of 57 categories of changes that opponents set forth. (Opponents provided some 500 proposals critical of the earlier accord, which the Santos government divided into 57 chapters).

The immediate concern is security, specifically whether the current cease-fire will collapse or deteriorate. Some observers maintain that a [swiftly affirmed](#) and enacted peace accord that leads to FARC forces disarming and reintegrating into rural communities will reduce violence and have many benefits, including enhanced economic growth.

Critics of the new accord contend that the Santos Administration gave too many concessions to the FARC, especially in allowing the FARC's top leadership to enter politics and avoid prison.

Legal Complexities and Who Pays for Peace?

A vexing issue for supporters of the peace deal is when the demobilization and disarmament of the FARC can begin. The Colombian Congress [must enact a series of laws](#) to implement the new accord, but an amnesty law must first be adopted to trigger disarmament. Without a law that provides amnesty for rank-and-file fighters who committed political crimes, the FARC will not continue to move into concentration zones agreed to in the bilateral cease-fire. (These zones are mapped in [Figure 1](#)).

A path for expedited passage of the many laws related to the peace accord had been created for the first agreement if popularly approved. Colombia's Constitutional Court is poised [to determine](#) if such "fast track" terms can apply to the congressionally sanctioned November accord. Opponents of the peace process led by Senator Uribe have been [strengthened](#) and are likely to attack the recently ratified agreement during the lead-up to the March 2018 legislative and presidential elections, which begins in spring 2017.

Some analysts estimated the total cost for implementing the original peace accord with the FARC would reach \$30 billion over a decade, and the new accord is unlikely to cost less. The Colombian people will shoulder most of that cost, although international organizations and the United Nations and other donors will provide some support for implementation. Some [analysts ask](#) if FARC resources will materialize to compensate FARC victims or if those hidden profits will remain out of reach, despite a proviso in the new accord that requires the FARC to provide a full accounting.

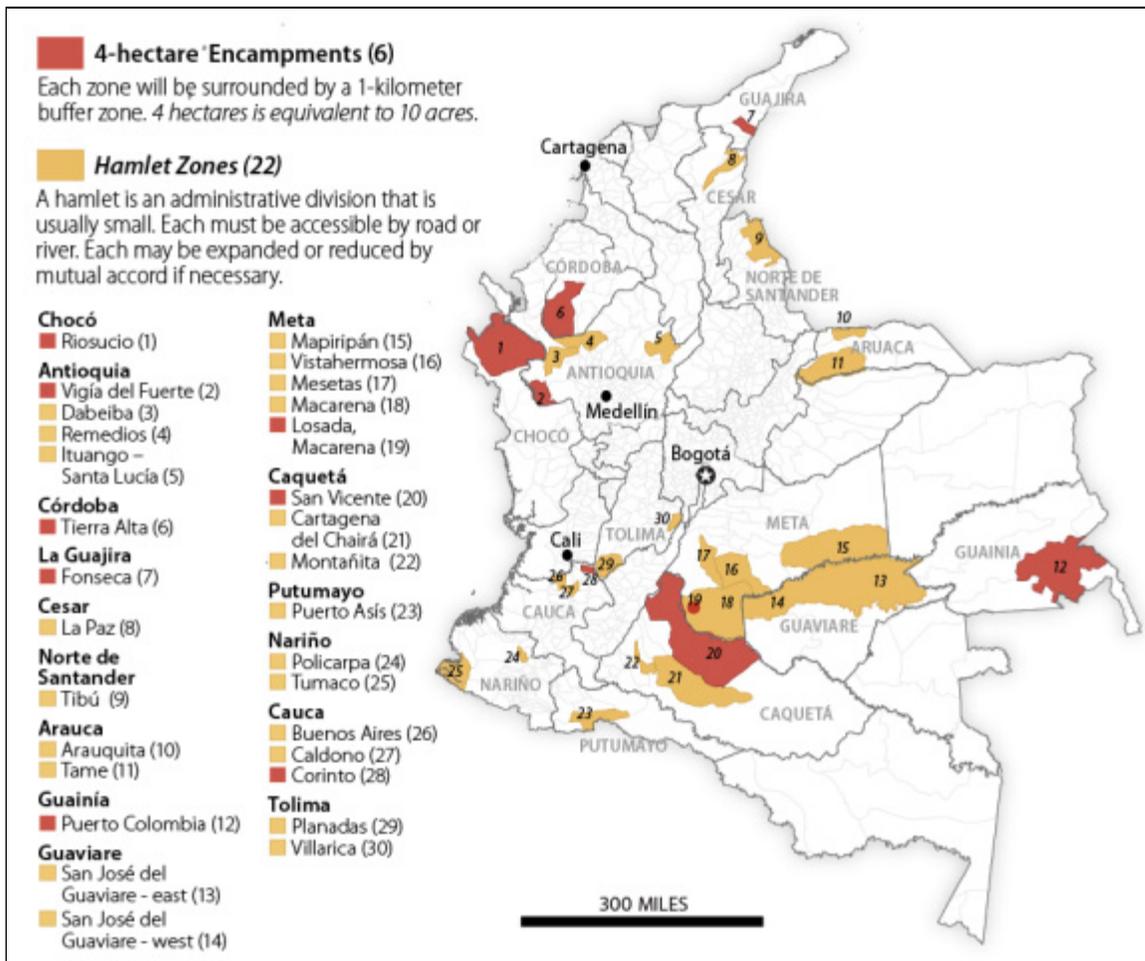
[Peace Colombia](#), the assistance program proposed by the Obama Administration, had foreseen a peace accord with the insurgents. The initiative was designed to help Colombia secure peace with \$450 million of support, \$391 million of which was requested in the [FY2017 congressional budget justification](#). A continuing resolution enacted by the U.S. Congress in September 2016 funds aid programs in Colombia at slightly below the FY2016 level (\$300.1 million) through December 9, 2016. Should the 114th Congress pass another (temporary) continuing resolution, the final assistance level for Colombia may remain unclear until after the new U.S. administration and the 115th Congress take office.

Issues for U.S. Policymakers

The United States has backed Colombia's struggle to end insurgencies of both left-wing guerrilla organizations and right-wing paramilitaries through support of negotiated peace agreements. Under Plan Colombia and its successor strategies, Congress appropriated more than \$10 billion of bilateral foreign assistance between FY2000 and FY2016 to help improve Colombia's security situation and strengthen its democracy. (See CRS Report R43813, [Colombia: Background and U.S. Relations](#).)

Some analysts maintain that Plan Colombia exemplified an approach to nation-building that worked, whereas critics counter that U.S. assistance provided to Plan Colombia allowed for human rights abuses and over-militarization. Most observers laud the large reduction in Colombia's homicide and kidnapping rates and significant reduction in terrorist acts; some maintain that security improvements [outpaced progress](#) in counternarcotics. Data from the U.S. government indicate Colombia's production of cocaine has increased rapidly [since 2014](#), raising concerns among U.S. policymakers interested in reducing the flow of illegal drugs. Potentially slow implementation of the peace accord, they say, may undermine FARC's anticipated cooperation in reducing Colombian illicit drug exports.

Figure 1. FARC Demobilization Encampments and Hamlet Zones



Source: Santiago Cárdenas H. "Mindefensa dice que las zonas de concentración pasa de 31 a 28," *El Colombiano*, August 26, 2016.

Notes: Originally, 31 encampment and hamlet zones had been chosen for the FARC's disarmament and demobilization. In a press conference on August 28, 2016, Minister of Defense Luis Carlos Villegas announced that modifications had been made to the encampment and hamlet zones. The 23 hamlet zones were reduced to 22, and the 8 encampment zones were reduced to 6.