

## II. Armed conflict and peace processes in the Americas

MARINA CAPARINI AND JOSÉ ALVARADO CÓBAR

In 2018, Colombia was the only country in the Americas with active armed conflicts. The Government of Colombia was involved in two low-intensity subnational armed conflicts: with the National Liberation Army (Ejército de Liberación Nacional, ELN) guerrilla group, and with a group of Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC) dissidents who have not accepted the 2016 peace agreement and have continued to fight. Implementation of the peace agreement between the Government of Colombia and the FARC remained tenuous, with President Iván Duque's Democratic Centre (Centro Democrático) party opposed to many of its provisions, including those on land rights and national reconciliation.

Despite the relative absence of active armed conflict, insecurity and instability were visible across Central and South America, making it one of the most violent regions in the world. In Nicaragua, opposition to government plans to reduce social security benefits resulted in political unrest, violence and a crackdown on protestors by security forces. In Venezuela, severe economic deterioration and the growing humanitarian crisis—including a large outflux of refugees, not least into neighbouring Colombia—raised concerns about regional destabilization. Levels of criminal violence across Central and South America continued to rise, a phenomenon that has led to the increasing use of national militaries to combat violent crime over the past two decades.<sup>1</sup> Public concerns about economic problems and endemic crime and corruption manifested in deteriorating levels of confidence in democracy and the election of populist leaders as presidents of the region's two largest countries in terms of population and economy, Brazil and Mexico.

### **Key general developments**

An intense 2018 electoral cycle brought political change across the Americas. Presidential elections took place in Brazil, Colombia, Costa Rica, Mexico, Paraguay and Venezuela. Presidential transition also took place in Cuba as Raúl Castro stepped down and was replaced, based on a vote in the National Assembly of People's Power, by Vice President Miguel Díaz-Canel; and Chile's new president, Sebastián Piñera, formally took office. Legislative

<sup>1</sup> Pion-Berlin, D. and Carreras, M., 'Armed forces, police and crime-fighting in Latin America', *Journal of Politics in Latin America*, vol. 9, no. 3 (2017), pp. 3–26.

elections were also held in Brazil, Colombia, Costa Rica, El Salvador, Mexico, Paraguay and the United States.<sup>2</sup>

On average, Central America, the Caribbean and South America posted modest growth in gross domestic product (1.2 per cent) in 2018—less than expected, though part of a slow and uneven recovery from a period of weak economic growth linked to the decline in commodities prices.<sup>3</sup> In several countries, elections took place under conditions of heightened public insecurity, high-profile corruption scandals and political polarization.<sup>4</sup> Public opinion polling indicated that confidence in democracy had sharply declined across Central and South America.<sup>5</sup> On average only 20 per cent of respondents across the region said they believed their country was making progress.<sup>6</sup> The challenges most often identified by respondents were economic problems (35 per cent), crime and public insecurity (19 per cent), political problems (9 per cent) and corruption (9 per cent).<sup>7</sup>

By the end of 2018, populist leaders had taken power in two of the region's largest states. Leftist Andrés Manuel López Obrador (popularly known as AMLO) began a six-year term as President of Mexico after a landslide victory with a strong mandate through control of Congress and enough state legislatures to push through constitutional reform. In Brazil, conservative Jair Bolsonaro began a four-year term as President, but in a weaker position due to the lack of a clear majority for the government-aligned coalition, the requirement that constitutional amendments secure a three-fifths majority, and a highly fragmented Congress composed of a record 30 parties in a system where party discipline is widely viewed as unstable.<sup>8</sup>

While President López Obrador and President Bolsonaro come from opposite ends of the political spectrum, they are both populists who campaigned against elite corruption and advocate radical change. López Obrador's politics focus on helping the poor, introducing pay cuts for public servants and combatting corruption, while Bolsonaro emphasizes law and order, small government, privatization, tax cuts, and reform of a deficit-ridden pensions system.<sup>9</sup> Bolsonaro succeeded Michel Temer, who was vice president under

<sup>2</sup> Americas Society/Council of the Americas, 'A guide to 2018 Latin American elections'.

<sup>3</sup> International Monetary Fund, 'Recovery in Latin America and Caribbean has lost momentum', Country Focus, 17 Oct. 2018; and Werner, A., 'The Latin American growth slowdown', *Americas Quarterly*, Spring 2015.

<sup>4</sup> Zovatto, D., 'What's at stake in the 2018 Latin American electoral marathon', Brookings Institution, 22 Jan. 2019.

<sup>5</sup> Corporación Latinobarómetro, *Informe Latinobarómetro 2018* [Latinobarómetro Report 2018] (Latinobarómetro: Santiago de Chile, Nov. 2018), (in Spanish).

<sup>6</sup> Corporación Latinobarómetro (note 5), p. 5.

<sup>7</sup> Corporación Latinobarómetro (note 5), p. 6.

<sup>8</sup> Syzdykov, Y., 'Bolsonaro's bid to kick-start Brazil economy destined to disappoint', *Financial Times*, 29 Nov. 2018; and Torres Freire, V. (trans. Madov, N.), 'Party fragmentation reaches a record high in Brazil and becomes a world abnormality', *Folha de S. Paulo*, English version, 10 Oct. 2018.

<sup>9</sup> Boadle, A., 'Brazil markets soar as new government vows to shrink state', Reuters, 2 Jan. 2019.

President Dilma Roussef until she was impeached and removed from office in August 2016. Bolsonaro prevailed over his main opponent, the popular former president Luiz Inácio Lula da Silva of the leftist Workers' Party, who was jailed for 12 years for corruption and had sought to run for re-election before being barred by the electoral court.<sup>10</sup> A string of corruption scandals in Mexico marred the six-year term of President Enrique Peña Nieto, during which Mexico dropped 33 places (from 105 to 138 out of 180 countries) on an international corruption perceptions index.<sup>11</sup>

While Central America, the Caribbean and South America have little armed conflict in the conventional sense, levels of violence are among the highest in the world. The region was home to 17 of the 20 countries with the highest murder rates in 2018.<sup>12</sup> In the same year, Mexico saw an increase of 15 per cent in homicides and 13 per cent in femicides over 2017.<sup>13</sup> Elected in July and sworn in as president on 1 December 2018, López Obrador promised a number of long-term policies aimed at lowering the homicide rate. These included legalizing marijuana, offering amnesty to lower-level members of drug cartels, targeting economic development projects in the impoverished south and, more controversially, creating a new militarized national guard under the Ministry of Defence consisting of some 60 000 army, navy and federal police personnel and tasked with fighting gang violence.<sup>14</sup>

Widespread protests erupted in Nicaragua in mid April, opposing government plans to cut back social security benefits and demanding the resignation of President Manuel Ortega. A crackdown on protesters by security forces and pro-government armed paramilitary groups resulted in 300–450 deaths and thousands of injuries.<sup>15</sup> Political unrest and violence, including serious human rights violations, drove many to flee the country—an estimated 60 000 by the end of 2018, of whom 23 000 went to Costa Rica.<sup>16</sup> Ortega refused to bring forward elections to resolve the crisis and declared he would serve out his mandate until 2021. In November the USA imposed financial sanctions on Vice President Rosario Murillo (who is Ortega's wife and widely regarded as his choice to succeed him, as well as a top aide), blocking access to any

<sup>10</sup> Phillips, D., 'Brazilian court bars Lula from presidential election', *The Guardian*, 1 Sep. 2018.

<sup>11</sup> *Mexico News Daily*, 'Corruption ranking plummeted during Pena Nieto's term, from 105th to 138th', 29 Jan. 2019.

<sup>12</sup> Muggah, R. and Aguirre Tobón, K., *Citizen Security in Latin America: Facts and Figures*, Strategic Paper 33 (Igarapé Institute: Rio de Janeiro, Apr. 2018), p. 4.

<sup>13</sup> Televisa.news, 'Homicidios en México durante 2018 sumaron 28 mil 816' [Homicides in Mexico during 2018 totalled 28 816], 24 Jan. 2019.

<sup>14</sup> Allire Garcia, D. and Gutierrez, M., 'Mexico's new president takes aim at violence during first day in office', Reuters, 2 Dec. 2018.

<sup>15</sup> Semple, K., "'There's no law': Political crisis sends Nicaraguans fleeing', *New York Times*, 6 Aug. 2018.

<sup>16</sup> UN High Commissioner for Refugees, 'Nicaragua situation', Fact Sheet, Nov. 2018; and Robles, F., 'In Nicaragua, Ortega was on the ropes. Now, he has protestors on the run', *New York Times*, 24 Dec. 2018.

property the two have in the USA and preventing US financial institutions from doing business with them.<sup>17</sup>

Criminal gangs and non-state armed groups continue to challenge public security throughout Central and South America. Amid high levels of violence and crime, pressures exerted by the *maras* (street gangs) and heavy-handed responses by state forces, a growing number of men, women and children fled Honduras, and to a lesser degree other Central American states, in caravans moving towards Mexico and the US border with the objective of claiming asylum. US President Donald J. Trump characterized the caravans as an ‘onslaught’ and, controversially, deployed 5200 US military troops to the border.<sup>18</sup> Under the US Government’s ‘zero tolerance’ policy, in effect from April to June, 2737 children were listed as having been separated from their parents when apprehended without documentation at the border. According to a government watchdog, thousands more children are believed to have been separated before the zero tolerance policy was announced.<sup>19</sup> As a result of domestic and international condemnation, President Trump declared an end to the policy in June. Nevertheless, some family separations continued, affecting a further 81 children by the end of November.<sup>20</sup>

On 31 August, Guatemalan President Jimmy Morales announced that his government would not renew the mandate of the Commission Against Impunity in Guatemala (Comisión Internacional Contra la Impunidad en Guatemala)—an independent body established by the United Nations in 2007 to support state institutions in investigating serious crimes committed by illicit and clandestine security groups and in dismantling such groups, including by prosecuting crimes committed by their members. The commission had succeeded in bringing charges against numerous high-level politicians, helping to bring down Morales’ predecessor, Otto Pérez Molina, in 2015.<sup>21</sup> Backlash from political and economic elites strengthened as the corruption probe widened and the Commission’s work was seen as implicating the Morales administration.<sup>22</sup>

The Venezuelan presidential election in May was sharply contested; some candidates were barred from running or jailed, and the election was boycotted by the main opposition parties. Presidential incumbent Nicolás

<sup>17</sup> Malkin, E., ‘Raising pressure on Nicaragua, US imposes sanctions on vice president’, *New York Times*, 27 Nov. 2018.

<sup>18</sup> Manson, K. and Guthrie, A., ‘US deploying 5200 troops to border with Mexico’, *Financial Times*, 29 Oct. 2018.

<sup>19</sup> Long, C. and Alonso-Zaldivar, R., ‘Watchdog: Thousands more children may have been separated’, Associated Press News, 18 Jan. 2019.

<sup>20</sup> Sands, G., ‘81 children separated at border since Trump’s executive order on dividing families’, CNN, 6 Dec. 2018.

<sup>21</sup> Menchu, S., ‘Guatemala not renewing mandate of UN anti-corruption body’, Reuters, 31 Aug. 2018.

<sup>22</sup> Bowen, R. E., ‘Guatemala in crisis after president bans corruption investigation into his government’, *The Conversation*, 16 Jan. 2019, updated 29 Jan. 2019.

Maduro was re-elected for a second six-year term. The opposition-controlled National Assembly did not recognize Maduro's re-election on the grounds of widespread irregularities, including allegations of vote buying and electoral fraud, and maintained that the presidency was empty. According to the Venezuelan constitution, the head of the National Assembly takes over in such circumstances. This resulted in Juan Guaidó, elected Chairman of the National Assembly on 5 January 2019, declaring himself acting president on 23 January 2019, with the support of Canada, the European Union, the USA and several countries in the region.<sup>23</sup> However, Maduro has ignored the National Assembly since he established the National Constituent Assembly, which is comprised of government supporters, in 2017. Maduro survived an assassination attempt by armed drone on 4 August 2018.

Once South America's wealthiest country, Venezuela experienced rampant hyperinflation, running at 80 000 per cent in 2018 and forecast by the International Monetary Fund to reach 1 million per cent in 2019; for the average resident, this meant prices doubled every four weeks.<sup>24</sup> In August, the government devalued the currency by 95 per cent and linked it to a state-run cryptocurrency, the petro, to avoid economic collapse.<sup>25</sup> Shortages of food and medicine and the collapse of the health system were key features of the deepening social and economic crisis through 2018. This also resulted in a growing refugee crisis that the Office of the UN High Commissioner for Refugees says has seen 3 million Venezuelan citizens flee the country, with 2.4 million hosted in other countries in South America and the Caribbean.<sup>26</sup>

The growing crisis sparked calls by some within the USA, notably the Republican Senator Marco Rubio, for Maduro's ouster and application of US pressure through backing the opposition leader and head of the National Assembly, Juan Guaidó.<sup>27</sup> In September the Secretary General of the Organization of American States (OAS), Luis Almagro, called for military intervention by the OAS to replace Maduro, prompting 10 Central and South American countries and Canada to issue a joint statement rejecting military intervention or the threat or use of force in Venezuela.<sup>28</sup> Venezuela holds the world's largest oil reserves, but oil output, the main source of export earnings,

<sup>23</sup> Gunson, P., 'In Venezuela, a high-stakes gambit', International Crisis Group, 24 Jan. 2019.

<sup>24</sup> Long, G., 'Venezuela lops five zeros off the bolivar to halt economic collapse', *Financial Times*, 20 Aug. 2018.

<sup>25</sup> Long (note 24).

<sup>26</sup> UN High Commissioner for Refugees, 'Number of refugees and migrants from Venezuela reaches 3 million', Press Release, 8 Nov. 2018.

<sup>27</sup> Baker, P. and Wong, E., 'On Venezuela, Rubio assumes US role of ouster in chief', *New York Times*, 26 Jan. 2019.

<sup>28</sup> Rathbone, J. P., 'Calls grow for international action in Venezuela', *Financial Times*, 13 Sep. 2018; and Herrera, J., 'As some call for military intervention in Venezuela, 10 Latin American countries reject regime change', *Pacific Standard*, 17 Sep. 2018.

collapsed to below 1.4 million barrels per day, the lowest level since 1947.<sup>29</sup> In order to shore up revenues, the Venezuelan Government has focused on extracting gold and other minerals through intense development of the mineral-rich region known as the Arco Minero del Orinoco. The military, which already controls the country's food and oil industries, was authorized to form a mining company in 2017 and was granted broad security powers to assert control over the mining sector and crack down on illegal mining. This has resulted in frequent confrontations with armed groups and has made El Callao, a centre of gold mining, the most violent town in the country with a homicide rate of 816 per 100 000 residents.<sup>30</sup>

### **Armed conflict in Colombia**

Colombia experienced over five decades of armed conflict before the biggest guerrilla group in the country, FARC, signed a final peace agreement in 2016. During this period of conflict, other outlawed armed groups and drug cartels also committed gross violations of human rights. Since November 2016, the Government of Colombia and FARC have taken a series of steps to implement the peace agreement. This complex process ran into a series of problems in 2018, particularly in relation to dissident FARC soldiers who reject the peace agreement, protection for demobilized FARC soldiers, the growing influence of the ELN, differences in political priorities and the Venezuelan crisis.

During the final months of the presidency of Juan Manuel Santos, from January to May 2018, 261 community leaders and 40 demobilized FARC guerrillas were assassinated.<sup>31</sup> In general, security forces have struggled to provide security in former FARC territories that have long experienced a lack of state presence. President Duque took office on 7 August 2018 and promised greater efforts to protect activists, yet from June to December 2018, 170 human rights campaigners and social activists were killed.<sup>32</sup>

The UN Office on Drugs and Crime claims that coastal and northern parts of Colombia (Antioquia, Cauca, Nariño and Norte de Santander) have seen the greatest increase in assassinations of community leaders. These areas are noted for their programmes to eradicate coca plantations, such as crop substitution and territorial development schemes, as stipulated in the peace

<sup>29</sup> Camacho, C., 'Venezuela oil production falls to level Caracas achieved in 1949', *Latin American Herald Tribune*, 16 May 2018.

<sup>30</sup> Rosati, A., 'The bloody grab for gold in Venezuela's most dangerous town', *Bloomberg Businessweek*, 9 Apr. 2018.

<sup>31</sup> Alsema, A., '261 social leaders and 40 FARC members assassinated during Colombia's peace process: Santos', *Colombia Reports*, 23 May 2018.

<sup>32</sup> France 24, 'Colombia: En dos años 282 líderes sociales y defensores de derechos humanos fueron asesinados' [Colombia: In two years 282 social leaders and human rights defenders were killed], 1 Mar. 2019.

agreement.<sup>33</sup> The demobilization of FARC appears to have left a security vacuum in Colombia's coca-cultivating regions that has not been filled by state security forces. This has opened a space for emerging criminal groups and other violent actors to compete for control of territory and resources, in turn leading to the assassinations of activists and community leaders.

One example of a violent actor seeking to fill the security vacuum is the ELN, a guerrilla group carrying out an armed struggle against the government. Although conflict fatalities between 2017 and 2018 did not reach the levels seen in 2015, the ELN grew stronger in 85 municipalities and sought to expand in another 32, a result of its expanding participation in the drug trade.<sup>34</sup> Negotiations to end the conflict with the ELN, which began during the Santos administration, slowed during the Duque administration, given the latter's reluctance to negotiate unless the ELN and its factions suspend all criminal activities and abandon the coca trade.<sup>35</sup> The ELN is also expanding into Venezuela (see below).

The growing influence in early 2018 of then presidential candidate Duque and his Democratic Centre party also produced changes to the peace agreement and harsher policing tactics by the Santos administration to tackle the growing sense of insecurity in Colombia. Duque sought to modify the war crimes tribunal, known as the Special Jurisdiction for Peace (Jurisdicción Especial para la Paz, JEP), a key component of the transitional justice system. He wanted harsher penalties for former FARC combatants. Under the peace agreement, those convicted of war crimes who accept responsibility would avoid imprisonment but face five to eight years of alternative punishment, such as house arrest or community restitution. This was perceived as tantamount to impunity by Duque and his supporters.<sup>36</sup> Duque also wanted a separate court to be created to try Colombian military and police accused of war crimes, arguing that the JEP is biased against state forces.<sup>37</sup>

As part of the new and harder line, on 9 April 2018 the Colombian Attorney General's office announced the arrest of a former FARC leader, Jesús Santrich, on drug trafficking charges filed by the USA.<sup>38</sup> This was significant given that Santrich was a member of the FARC negotiating team during the 2016 peace process. His arrest was seen as a threat to the stability of the peace deal.

<sup>33</sup> InSight Crime, 'Coca regions most deadly for Colombia Activists', originally published in *Verdad Abierta*, 9 Oct. 2018.

<sup>34</sup> Uppsala Conflict Data Program, 'Government of Colombia—ELN' search, date of retrieval 6 Mar. 2019; and Olaya, A., Rísquez, R. and Bonilla, M. A., 'Colombia President Duque's 5 "hot potatoes"', InSight Crime, 8 Aug. 2018.

<sup>35</sup> Olaya, Rísquez and Bonilla (note 34).

<sup>36</sup> Felbab-Brown, V., 'Death by bad implementation? The Duque administration and Colombia's peace deal(s)', Brookings Institution, 24 July 2018.

<sup>37</sup> *World Politics Review*, 'Disputes over transitional justice threaten a fragile peace in Colombia', 21 Nov. 2018.

<sup>38</sup> LatinNews, 'Colombia's peace process faces new key test', 10 Apr. 2018.

As of December 2018, Santrich remained in jail. The JEP has called for his release, arguing that the USA has not provided sufficient evidence to justify its extradition request.<sup>39</sup>

Further innovative measures in the Colombian peace accords, such as those centred on gender equality and women's rights, have also not been fully implemented. The Kroc Institute, responsible for monitoring the implementation of the accords, stated that as of June 2018 only 4 per cent of their 130 gender-related stipulations had been fully implemented.<sup>40</sup> Delayed implementation is most notable in the points relating to rural reform, political participation and addressing the problem of illicit drugs. The Institute highlighted the grave dangers faced by female civil society leaders, human rights activists and ex-combatants.<sup>41</sup>

A truth commission, which began functioning on 29 November 2018, was set up to assess the root causes of the country's internal armed conflict and to promote national reconciliation. It remains to be seen if it can function effectively given the considerable resistance the agreement faced during its ratification and continues to face during implementation. On 24 November, FARC's leader, Rodrigo Londoño (alias Timochenko), criticized the lack of progress in implementing the peace accords, particularly in regard to access to land.<sup>42</sup>

Problems in Colombia have exacerbated those elsewhere in the region, particularly Venezuela, and vice versa. For example, on 14–16 October seven miners were killed by the ELN at an illegal gold mining operation in Tumeremo, Venezuela. By late November 2018, the ELN was reportedly operating in 12 states in Venezuela.<sup>43</sup> In addition to solidifying cocaine routes across the border, ELN and FARC dissidents are believed to have engaged in other illicit activities such as extortion and smuggling, a profitable endeavour given that Colombia hosts the highest number of refugees and migrants from Venezuela—over one million.<sup>44</sup> The flow of Venezuelans across the border has also stimulated human trafficking, and growing numbers of Venezuelans have joined armed criminal groups in Colombia as a means of survival.<sup>45</sup>

<sup>39</sup> *El Tiempo*, 'Comisión de Paz del Senado pide libertad Santrich', 5 Dec. 2018.

<sup>40</sup> Kroc Institute for International Peace Studies, University of Notre Dame, *Special Report of the Kroc Institute and the International Accompaniment Component, UN Women, Women's International Democratic Federation, and Sweden, on the Monitoring of the Gender Perspective in the Implementation of the Colombian Final Peace Accord*, Dec. 2016–June 2018 (Kroc Institute: Bogotá, 2018), p. 6.

<sup>41</sup> Kroc Institute for International Peace Studies (note 40).

<sup>42</sup> LatinNews, 'Colombia's truth commission starts work amid challenges for peace', 27 Nov. 2018.

<sup>43</sup> InSight Crime, 'ELN now present in half of Venezuela', 13 Nov. 2018.

<sup>44</sup> UN High Commissioner for Refugees (note 26).

<sup>45</sup> Rísquez, R. and Salomón, J., 'GameChangers 2018: Venezuelan migration a new gold mine for organized crime', InSight Crime, 8 Jan. 2019.