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“Final Peace Agreement in Colombia: New migration scenarios in Ecuador ”

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SUMMARY

This research aims to identify the new migration scenarios in Ecuador because of the implementation of the Final peace agreement. As a result of the internal conflict in Colombia, a large part of the population was forced to move to other nearby countries as in the case of Ecuador. This migration has caused changes in the social relations of the populations that have hosted them. It is important, then, to know the data and the consequences of the massive emigration of Colombians in our country. In order to determine the migratory consequences that exist in Ecuador with the implementation of the Final peace agreement in Colombia, was carried out a bibliographic exploration on the conflict, along with some interviews with activists and representatives the UN, which facilitated the understanding of the problem. The new migration scenarios as a result of the Final peace agreement were identified, with a contingent of more than a hundred thousand Colombian refugees, with a higher proportion of women, and a significant growth of migration which coincides with the Presidency of Uribe and a downhill of it with the start of talks in 2012 and finally, with the 2016 peace agreement.

KEYWORDS: Internal armed conflict of Colombia, guerrilla, Final Peace Agreement, refugees, immigration in Ecuador

INTRODUCTION

The Colombian internal conflict, because of its duration for more than sixty years, has produced serious consequences for the population, and has provoked numerous border problems with neighboring countries, including Ecuador. Not only it has caused deaths among the belligerents but it has caused victims among the civilian population and has produced damage to properties and infrastructure of the country.

From the Decade of the fifties to the present day, Colombians have been harmed by the consequences of the armed conflict, and have had to move in order to escape from the serious consequences of the war such as the constant violations of human rights.

The guerrilla conflict started approximately in 1964 between the Colombian Government and the peasant guerrillas, the revolutionary armed forces of Colombia (FARC) and the National Liberation Army (ELN).

The conflict is historically based in the conflict known as "The violence", which was triggered by the assassination of the political leader Jorge Eliécer Gaitán and the interference of the United States. This exerted a strong repression against communism in areas rural Colombia in the 1960's, which led to several militant Liberals and Communists to reorganize FARC. The conflict has gone through several phases with more or less intensity and has seen how involved groups used various tactics of confrontation throughout history.

The reasons for fighting vary from one group to another. Various movements such as FARC guerrillas claim to be fighting for the rights of the poor in Colombia to protect them from the violence of the Government and to achieve social justice through socialism. The Colombian Government says that it is struggling to maintain order and stability and to protect the rights and interests of its citizens. Paramilitary groups such as AUC (United Self-Defense of Colombia) claim to be overreacting to the threat of guerrilla movements. Despite all these arguments, both guerrilla groups and paramilitaries have been accused of being involved in drug trafficking and terrorist groups. All parties involved in the conflict have been criticized by numerous human rights violations. According to a Government report, 220,000 people have died in the conflict between 1958 and 2013, most of them civilians.

Negotiations started in Oslo (Norway) in September 2012 and took place mostly in Havana (Cuba). Negotiators announced a final agreement to end the conflict and build a lasting peace in August 24, 2016, and a referendum was carried out in October 2, 2016, which did not succeed since 50.21% of voters voted against it. After meetings of

negotiations with supporters of No in the referendum, a peace agreement was signed between the Colombian government lead by Juan Manuel Santos and the FARC on November 24, which was presented at the Congress for their knowledge and vote, where it was approved.

Ecuador, which shares borders with Colombia, has been one of the main destinations of the displaced people in the conflict. These immigrants have had to look for solutions that ensure their family, social, labor needs. Ecuador has been transformed, where emigration has had special characteristics. It is important, then, to do a comprehensive study of the new migration scenarios so citizens can adapt to them in the best way.

The constant arrival of refugees to Ecuador has had a constant but moderate growing. This immigration soared under the Presidency of Alvaro Uribe, where there was a policy of toughness against the guerrillas together with human rights abuses perpetrated by the armed and security forces, in addition to the scandals caused by the so-called "false positives", where they killed and made people disappear at the hands of the police and the army. With the opening of the Presidency of Juan Manuel Santos, preliminary talks began in Oslo and Havana, which also had a response concerning refugees, highlighting a pronounced tendency downward up the signature of the Peace agreement. Even so, currently in 2018, refugee applications have continued to exist since they remain active FARC splinter groups that have not acceded to the agreement.

CHAPTER I

THE ARMED CONFLICT

1.1. The Conflict

In order to understand the Colombian internal conflict (CIC) and its reach both national and cross-border, it is necessary to establish a concrete definition of what is an armed conflict as such. Thus expressed by Navarro (2017), where an armed conflict is all confrontation staged by armed groups, which are understood as regular or irregular elements, which use violent actions to achieve their objectives, and also produce more than one hundred violent deaths in a year. This has caused serious territorial impact with degradation of infrastructures and/or nature, affected citizen's security in terms of population displacement, threats to population, removal or denial of basic services. Authors, moreover, establish that armed conflict is different from common violence due to demands on territorial aspirations of self-government or identity aspirations. They also happen with political or economic, social and ideological oppositions. All of this, "motivates the fight for political power or control of resources and territory" (p.17).

The emergence of an armed group differs from common violence, as the guerrillas should be understood directly from social conditions underpinning it. Montemayor (2012) raises two possibilities of misunderstanding guerrilla groups. The first would be unlinking the appearance of social conditions and the second would be to consider the appearance and development of the guerrilla as a casual phenomenon, which therefore does not consider a relationship between the guerrillas and the regional circumstances. So then, it is important to recognize that the emergence of these groups is closely linked to the conformity of the existing social conditions and the appeasement of armed and violent actions of this disagreement would be achieved only with a circumstantial transformation of social conditions.

There is no doubt that the conflict has committed the lives, security, and integrity of Colombian citizens and the Region in general. In internal armed conflicts, we must emphasize that almost two-thirds of them, according to Armadans (2013) and Fisas (2014), are motivated by the incompatibility linked to opposition to a particular Government or to the political, economic, social system or ideological system of a State. Therefore, the main causes of the internal conflicts are political power struggles, struggles for resources and the recognition of identity. The facts that facilitate the existence of wars are the sources that finance them, the culture of violence and hatred,

etc. Indirect entities may be the transnational corporations, mercenaries, among others, which profit from wars.

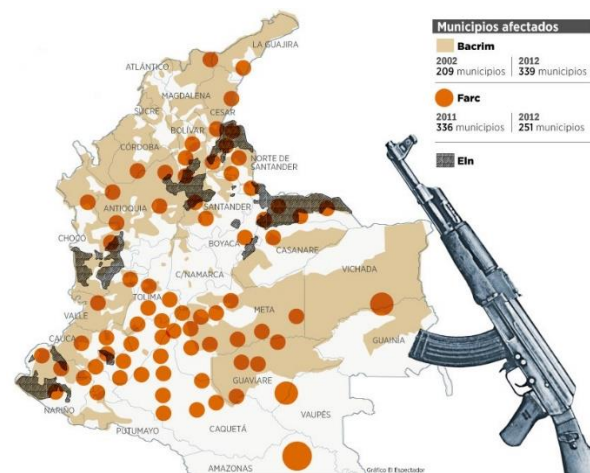
As explained by interviewee Salazar (2018), Colombia is a country which, together with the rest of the Andean region of Latin American countries, shares a same historical path. Because of this, conflicts in our countries have common origins as they have the same independence process. The construction of new States did not mean real changes in socioeconomic structures. These have formed the matrix of conflicts throughout our national histories as a result of the neglect and abandonment of the Governments to the neediest sectors.

Certainly, some features of the structures inherited from the Spanish era continued in the new Governments that continued to be founded, unlike the United States, as explained by Rangel (Rangel, 2007), which generated a new dynamic structure after its independence that could compete with the new market that was opened. This facilitated the development of an agile and modern administration. On the contrary, in the Hispanic world, the old administrative ways continued to be exercised, causing increasing differences between the populations, granting privileges of power that were inherited by the new bourgeoisie.

As Vacas says (2018) based on a report by the Colombian Government, 220,000 people have died because of the conflict between 1958 to 2012. Most of these deaths were civilian deaths, making it the bloodiest conflict in the history of Latin America. The number of civilian victims climbs to 81.5%, while the fighters represent the 18.5%.

As stated by Blair (2005), "today, the direct armed confrontation is between three bands: guerrilla, paramilitaries, militaries" (p.32). The degradation of the conflict makes it difficult to heal emotional wounds in the population and undermining hope for a next social reconciliation.

Figure 1. Geography of the armed conflict



Source: El Espectador (2013)

The maximum extension of the insurgent groups can be seen. Along with drug trafficking-related criminal gangs, rebels competed for territory and were present in most of the country. Between 2002 and 2012, the guerrillas lost some of their presence in the center of Colombia but strengthened in the outlying provinces.

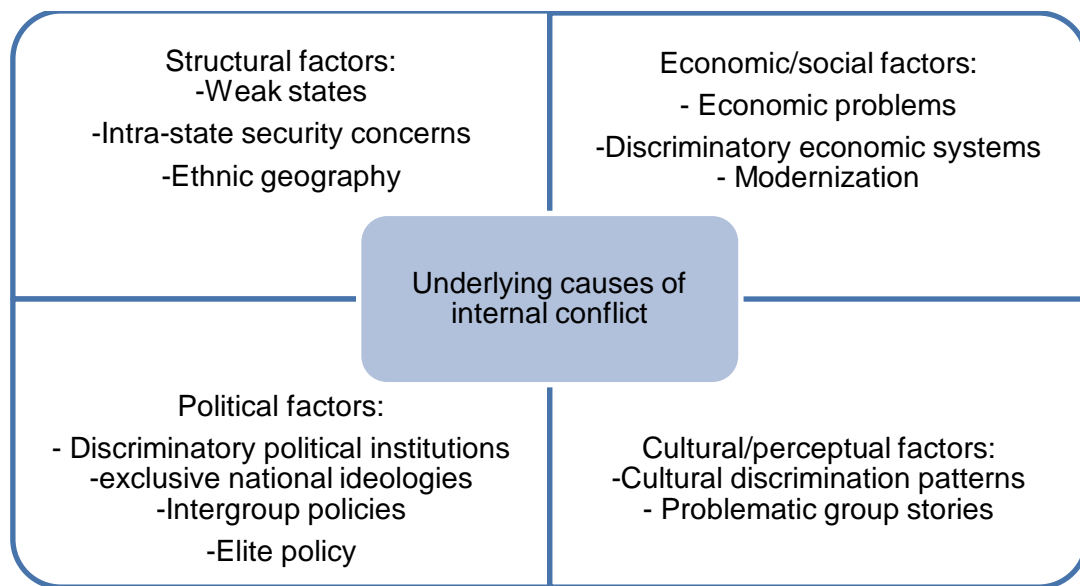
1.2. Background of the conflict

1.2.1. Political scope

Initially, the conflict developed between the Colombian State and the formation of peasant guerrillas of far-left in the 1960's. The most prominent guerrillas are the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ENL). During the development of the conflict and in the face of the extension of the belligerency, the paramilitary groups of right-wing, drug-trafficking mafias and gangs joined them.

Brown (1996) establishes four factors that allow the creation of a domestic war, which can be seen in the Figure 2.

Figure 2. Causes of the internal war in Colombia



Source: Brown (1996)

Authors: Doménica González y Natalia Paoletich

Following this scheme, it is possible to see some parameters since the violent problem is historically based in the conflict known as "The violence", which was triggered by the assassination of political leader Jorge Eliécer Gaitán and the interference of United States. This exerted a strong repression against communism in rural areas of Colombia in the 1960's, which brought several militant Liberals and Communists to reorganize FARC. The conflict has gone through several phases with more or less intensity and has seen how involved groups used various tactics of confrontation throughout history.

The reasons for the conflict vary from one group to another. Various movements such as FARC guerrillas claim to be fighting for the rights of the poor in Colombia and to protect them from the violence of the Government, and achieve social justice through socialism. The Colombian Government, for its part, justified that it is struggling to maintain order and stability and to protect the rights and interests of its citizens.

Counterinsurgency and paramilitary groups such as the United Self-defense Forces of Colombia (AUC), claim to be overreacting to the threat of guerrilla movements. As explained by Velazquez (2007), "Although there was an internal environment for his appearance and boom, the paramilitaries cannot be seen apart from the geopolitical impact of United States" (p. 134). This interference was evidenced in military training in counterinsurgency strategies through direct advisers and in the training at military schools in the United States.

Both guerrilla groups and the paramilitaries have been accused of involvement in drug trafficking and of being terrorist groups. All parties involved in the conflict have been criticized by numerous human rights violations, such as Grove and as recognized by the human rights activist lawyer:

There have been variables in patterns of criminality and repression. A few years ago the actions were committed directly by State agents or guerrillas. Today it is difficult to find direct actions of this type. There are more actions of paramilitary individuals who are very articulated with drug trafficking groups or even companies. Private security groups act sometimes as companies legally constituted, others as illegal entities. (Arboleda, 2018)

So there have been abuses on human rights among all the actors in this conflict, at one point or throughout the war. The victims are generally civilians and from the lower economic classes and farmers who have suffered harassment from each of the opponents.

The propitiatory facts should be placed in the early 20th century, where the working classes were strongly repressed by the State. Between 1958 and 1974, the national front was formed, a pact between political factions (Liberals and conservatives) to conclude an equitable distribution of power and bureaucracy in the country. This national front triggered the political life in a exclusionary way, being a pact between two political forces that distributed power between them, discriminating the other initiatives.

Rather than mutually exclusive, the various governments of the National Front showed a narrow and individual conception in the management of power. It was not the talk of bipartisanship in a one-party system, simply the ability of the royalists to take the best fruits of the pact; it removed the dissident alternatives opposed to the imposition of the liberal model of development. (Ayala Diago, 2017).

Therefore, a political alternation was formed, which denied the basic democratic principle that each party has a program and defends its position before the rest and the citizen is the one who chooses the alternative that considers more conducive. This situation provoked a social reaction to eliminate repression and political discrimination which was established, resulting in a violent reality.

The motives of these confrontations were ideological and bureaucratic disputes over the control of the State; political devices were used to conduct the war in

rural areas, and the confluence between party loyalty and agrarian conflict was a trigger to escalate the violence. (González & Molinares, 2013, p. 18).

As a result, disputes and clashes arose, which took shape in rebel and armed groups and fostering the emergence of well-structured organizations such as the FARC and the ELN. To these political factors that sustained the conflict, structural elements must be added, such as corruption due to weakened States and inherited administrative incompetence of an archaic structure that is not adapted to the new times. There is also as the inability to create new economic proposals that develop the country and a general well-being.

Another of the facts that led to the weakening of the State was the high recurrence to the 'State of exception' in numerous moments of crisis. This exception regime generated an increase of the power of the Executive in decision-making and the suspension of constitutional guarantees.

Even between 1958 and 1988, the State of exception lasted for twenty-two years, which made it possible for the Executive to become a legislative power. In this context, the Security Statute of Government of Julio Cesar Turbay Ayala (1978-1982) and the Statute for the defense of democracy, during the Government of Virgilio Barco (1986-1990), were approved, which criminalized various forms of social protest, allowed in any rule of law. (González & Molinares, 2013, p. 18).

The Government of Alberto Lleras Camargo, in its second term (1958-1962), tried a model of pacification that promoted reintegration measures for the guerrillas, with the suspension of criminal proceedings for those who requested it. This initiative was harshly criticized by the conservative sector and he was forced to reverse the measures taken a year later.

This crisis driven by reformist actions had a social impact, where the Catholic Church manifested the crisis. This institution was having its own ideological changes brought by a current of renewal for the Second Vatican Council of 1965 and the Latin American Episcopal Conference of Medellín of 1968. As explained by Acevedo (2015), "the importance of these two events to position an option for the poor inside the Catholic Church, is recognized as one of the changes experienced by the country and the continent in those years"(p. 36).

In addition, the trend within the institution of the theology of liberation favored the break with government positions that filled the organization with popular protests and political

tensions with the creation of a disgruntled sector and with right ideologies throughout the country. From 1966 the conflict with students arose, generating violent clashes.

Social inequality was another important element because of the concentration of land in large estates. A land reform was necessary to modernize the country and to overcome economic stagnation. This situation "would not only improve the distribution of income, but it also would accelerate the growth of agricultural production" (Urrutia, 2012, pág. 249). This initiative would have been probably the solution, as affirmed by Berry (Berry, 2012), but "its inadequate and weak application constituted its biggest failure" (p. 296). The alternation of the conservatives made it impossible to reform and peasants followed in inequality, social exclusion, and all his frustrated longings.

The peasantry took an orientation towards policies of left testified in a process of invasion of land and increasingly violent protests as the assault on public institutions. Agrarian organizations were moving away from government positions which were joined by a growing University mobilization that generated great tension in the cities. This increased the connivance of social agitators and the subversive groups.

To understand the social, economic and institutional polarization that existed in Colombia, it's crucial to comprehend the origin of the internal Colombian armed conflict and the reasons for his long tenure. The various actions taken by Governments and by irregular groups transformed the pre-conflict reality in an armed struggle for the solution of inequalities existing in the country.

1.2.2. Economic scope

The main entities involved in the conflict have been, at the start, the Colombian State and the extreme left-wing guerrillas, and the paramilitary groups of the extreme right, the drug cartels, criminal gangs which joined decades after. The factors that raised this conflict, as indicated in the National Center of historical memory (2013), were:

- the persistence of the agrarian problem,
- the emergence and spread of drug trafficking,
- the limitations and possibilities of political participation,
- the influences and pressures in the international context,
- the institutional and territorial fragmentation of the State, among many others.

These factors have been present, prolonging the history of the conflict and in many ways heightening it.

The Colombian conflict, with its violent manifestations and criminal activity, has hindered economic development. Both national and international investment declined during the worst years of war. As explained by Sanchez and Diaz (2005), in a macroeconomic aspect not only the investment disappears, also, saving standards are lost and capital losses are produced such as infrastructure. In this sense, the State cannot make investments or improvements in buildings and stagnation becomes apparent. On the microeconomic aspect "human capital losses because of homicidal violence, leaks of human capital, the drop-out and school absenteeism; the loss of social capital by forced displacement and lower participation in the labor force"(p. 5) occur.

The economic reality of the country has been marked by a violent expulsion of indigenous, African American, and rural societies and eviction processes. These facts have been shaped because of the production policies that have been happening and also the domination of the various political sectors that struggle for power. It cannot be thought that this reality is due to a specific model of development, which could be operated according to a studied and rational strategy on specific interests. On the contrary, it is due to variable alternating political interests which have desired power over the land as well as national and international capitalist interests.

In the last two decades of the 20th century, the neoliberal model that has had an impact on the process of modernization of the State was consolidated. The agricultural economy policies were redefined accordingly to the needs of production and demands. All of them, to the margin of the social needs and the opposing political positions. Agricultural production takes place in order to keep on with the demands of the market, which impede the most disadvantaged to adapt. A large part of the peasant society is affected by the market liberalization and the introduction of imported products that compete on quality and price with the nationals. The traditional crops of rice, sorghum or cotton, were affected by the introduction of these products in the market, generating a major crisis.

For Mantilla (2012), economic globalization has been a transformation for the armed conflict. Transformation mainly by the politics of economic opening leading to the incorporation of new elements associated with the problem, and, through the new field of economic action which supposed globalization for armed groups in the war economy. The new demand, therefore, moved the traditional coffee production to produce coca and extract minerals since the 90's. Coffee production then moved from 50% of productive supply, to 21% in 1998, and to 8% in 2000.

International demand for products related to fuels caused an increase in the extraction of oil, gas, and coal. In the last decade of the 20th century, Colombia has increased the

extraction of minerals and fuels due to the new economic demand associated with fuels and gold. As indicated in a report of Colfecar (2014), "during the 1986-1995 period the country grew despite the short coffee boom, thanks to non-traditional sectors of agriculture, manufacturing and mining's major exports (oil, coal, and ferronickel) "(p.2). Therefore, the production of fuels displaced the agrarian economy towards the extraction of minerals by increasing the source of income, but only in the hands of a few people, contrary to what happened with the farm, where the small producers could compete on a more egalitarian market.

1.2.3. Social scope

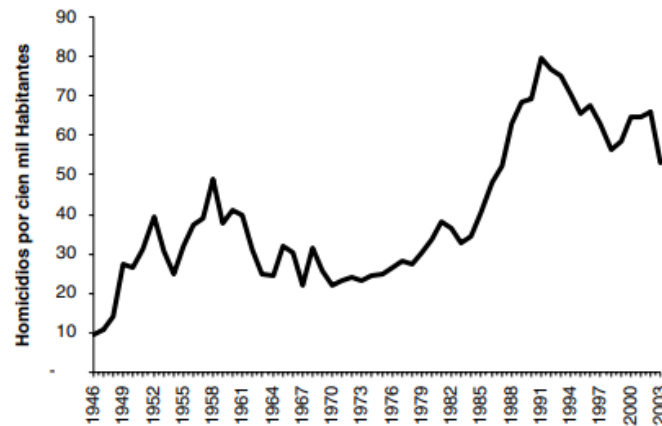
As Peña (2013) explains, those involved in this tragedy, such as the guerrillas and paramilitaries, are an internal evolution of Colombian society where interests from outside do not participate but it should not be seen as a consequence of the State monopoly of violence. In Colombian society, only a few citizens enjoy equality before the law, while a vast majority suffers from the oppression of assorted violence, especially the kind that arises from the fragmentation of political power that favors some regional elites, where they do exert violence in a discriminated way.

Among the consequences of the conflict is the increase in homicidal violence, in addition to other acts such as kidnappings and the loss of infrastructure where daily life is numbed as a logical consequence of the armed conflict. Other factors, as indicated by Sanchez and Diaz (2005) are related to health, such as an increase in mortality and morbidity.

On the other hand, the conflict divides a lot of adverse results for the economy which result in serious social situations, such as the migration of the population to safer areas or abroad, lower rates of participation in the labor demands, among others. "In addition, the effects on social indicators are considerable, because they erode the social capital, accentuate the bad living conditions and determine lower participation in the democratic process" (p. 21). As Vono (2011) establishes, 9% of the Colombian population has emigrated abroad, where Ecuador is among the four major destinations.

Killings and kidnappings are the two most recurrent crimes in the country, where both are closely associated with the armed conflict. The study of Sanchez and Diaz (2005) shows evidence that two periods are differentiated according to the killings. The first, between the decades of the 50s and 60s, and the second in the 80s, in a similar role with the consolidation of drug trafficking mafias, the cocaine trade and the consolidation of paramilitary armed groups.

Figure 3. Homicide rate in Colombia between 1946-2003

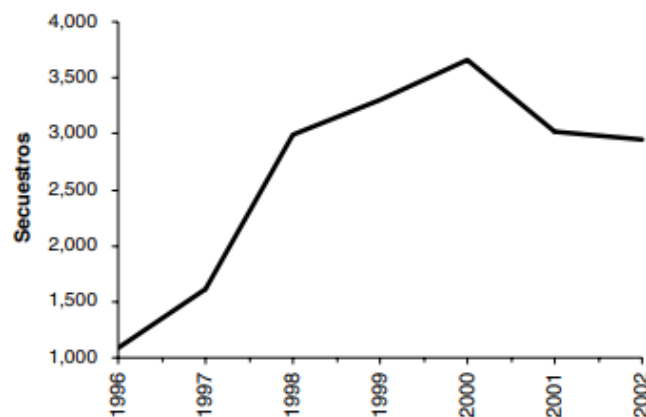


Source: Sánchez y Díaz (2005)

Estimates indicate that if there had been no armed conflict, homicide rates would have declined around 51% in total. This result is drawn from the comparison of the municipalities where FARC was acting in comparison with which did not suffer their influence.

In terms of kidnappings, in the last two decades of the 20th century, there was a sharp growth from 258 in 1985 to 3600 in 2000. As Castle and Balbinotto (2012) manifest, at the end of the 90s, FARC aimed its policy and strategy in the conflict, increasing the kidnapping to force the Colombian State to exchange prisoners. The greatest victims were soldiers, policemen, politicians, and U.S. advisors.

Figure 4. Kidnapping rate in Colombia between 1996-2002



Source: Fondelibertad (Fondelibertad)

As shown in figures above , the most critical moment occurred in the year of 2000. Like killings, the final period of the century and the beginning of the 21st was the more intense due to the enhanced appearance of the positions of the paramilitaries and drug trafficking cartels. One of the most heard kidnappings involved Ingrid Betancourt and her adviser Clara Rojas, in February 2002 when they transited through San Vicente del Caguán, a 'zone of relaxation'. The long captivity had a great international repercussion and ended after an intrepid military camouflaged operation of the Independent Organization without profit (NGO) occurred, in July 2008.

Another social drama associated with this conflict is the forced displacements of the population. This problem relates to a major humanitarian crisis because of the emotional and social cost acquired by its large dimension. The facts are seen by Pizarro (2008) in the following way:

Each issue, each indicator, is a human drama. Orphans, without land or affection. Women comprising solitudes and many difficulties to get ahead. Men defeated, humiliated and uprooted. Abandoned, exhausted elderly that run away violence without finding rest. Indigenous, eternal expulsion from their mother earth and black communities that roam through the paths of fear and discrimination (p. 4).

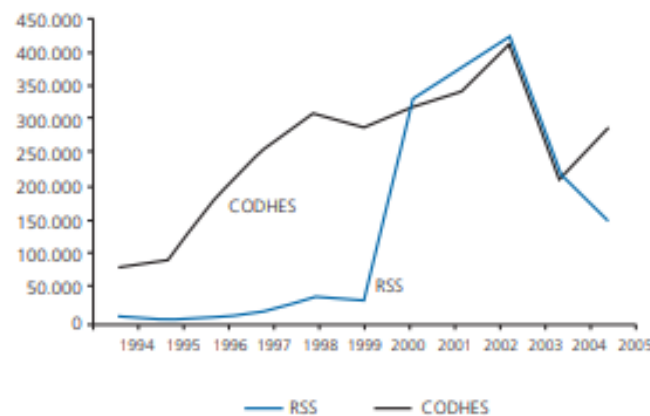
The forced displacement of the population has been a long-lasting phenomenon in Colombia. It came due to an armed confrontation of multiple polarities and victims that comprise a wide spectrum of Colombian society, who do not belong to a specific ethnic group, nor a dogma, nor to a particular political position. As established by Naranjo (2001) it is difficult to determine the nature, the profiles, the causes and the rhythms in this drama. There is a difficulty to determine which ones where whether for political reasons, economic or other causes.

The phenomenon of the heterogeneity of the displaced is due to a “non-existent pre-existing identity”. The phenomenon affects, perhaps, more on peasant society and the poor. This data does not exclude as well, employers and the owners of the land, it affects all social classes. As Naranjo (2001) makes clear, there is no "a pre-existing identity, a principle of social, regional, ethnic, political, religious, ideological or cultural membership, of economic stratum or class that identify that social group, or which provide elements of internal cohesion". Given that if that would be the case, a quick interpretation of the situation could be given and a forward-looking strategy that solved the problem could be planned.

The magnitude of the displaced according to Ibanez and Moya (2007), reports that "between 1995 and 2005 amounts to 1.664.284, which corresponds to 3.6% of the population of the country" (p.27). According to this institutional report, an exponential increase has occurred from 1995, producing the most critical situation of displaced persons in 2002. As stated by the interviewee Salazar (2018), "undoubtedly rural and indigenous communities, and in particular its youth and children", are the biggest victims of this problem.

There is a match in the data provided by the Network of Social Solidarity (RSS) and the Consultancy for Human Rights and Displacement (CODHES), which belongs to UNHCR. Indexes facilitated in their reports establish a sprouting increase of the displaced population in 2002.

Figure 5. Magnitude of the refugees between 1994-2005



Source: Ibáñez y Moya (2007)

The cause of this huge mass of the affected population lies within the conflict in three origins: threat on the person or his family, in the near fighting between various contenders (government forces, guerrilla or paramilitary), and in the degradation of livelihoods (destruction of crops, infrastructure, basic supplies, among others).

1.2.4. Military scope

Two protagonists were structured in the Colombian armed conflict. Trejos (2008) distinguishes them in "legal or regular and illegal or irregular" (p.3). Regular forces consist of the army itself with the navy and air forces, as well as the national police, although this does not have a military character. On the other hand, uneven actors are formed by the guerrilla movement, represented by the

Armed Revolutionary Forces of Colombia- People's Army (FARC-EP) and the Army of National Liberation (ELN). In addition, as explained Vaca and Jarrin (Vaca Huallpa & Jarrin Bonilla, 2016), it also existed self-defense groups known as "peasant self-defense", that resulted in criminals bands (BACRIM).

The armed forces and police experienced a major transformation, as Schultze (2012) indicates, these changes occurred in the size and deployment. Although it should also be noted the doctrinal change and their training in the context of international humanitarian law.

In the war scenario, as expressed by Sánchez (2003), the role of the United States should not be forgotten. Its collaboration not only limited cooperation in the military field, but they also had their presence in the fight against the guerrillas in the theatre of operations and in the war against drug trafficking.

As The Herald publishes, in the last five years, the Colombian Government spent 3.5% of the gross domestic product (GDP), comparable with the U.S. rate, and much higher than the rates of other Latin American countries such as Ecuador with 2.7%, Peru with 1.4%, or Mexico with 0.7%.

1.2.5. International scope

The conflict generates a series of particularities and constraints that affect the international sphere, especially since the imposition of the globalizing trends. Prior to this, as Cano (2013) explains, "is surprising the scant attention that over the years a conflict so complex and so long-lived has received from international agencies". This little attention was favored by the reluctant position of the Colombian authorities to the acceptance of an intervention by the international community.

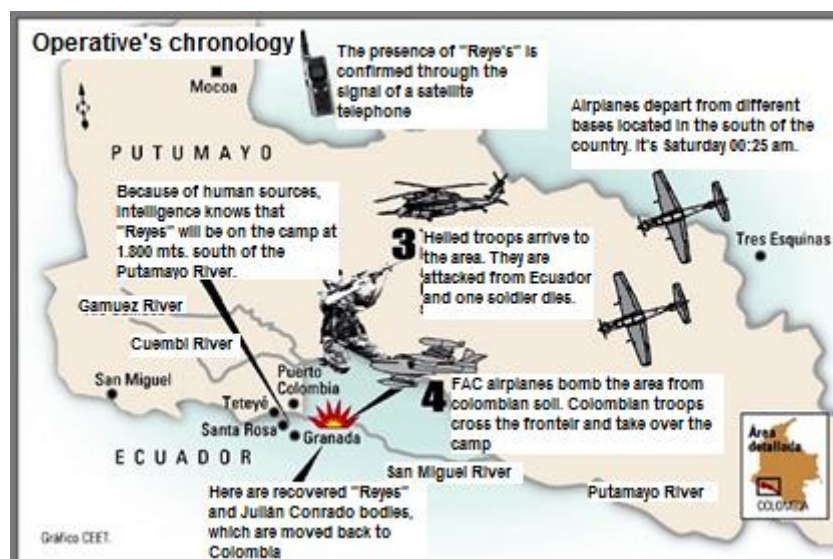
One can speak of an internationalization of the problem based on the demand of President Pastrana (1970-1974) through the creation of the "Group of Friends for Peace in Colombia", due to the danger that the conflict extended to other countries. At the same time, in 1999 the Secretary-General of the United Nations named Jon Egeland, as Special Adviser for Colombia.

With the presidencies of Samper (1994-1998) and Pastrana (1970-1974), an international claim began to search for a solution to the endless conflict, mainly focused on helping the fight against drug trafficking given its close ties with the guerrillas. At the same time, insurgent groups also wanted to achieve greater involvement of the international community that would favor them in their positions.

International approaches acted in two different ways. On the one hand, the U.S. focused on the problem of drug trafficking and the control of terrorist groups that could affect its national security. On the other hand, the European Union, together with the United Nations (UN) and the Organization of American States (OAS), tried to get involved to support the peace process, together with the humanitarian crisis and human rights violations.

A relevant fact of international relations during the conflict was produced by the diplomatic crisis that occurred in 2008 between Ecuador and Colombia. The Colombian army operations began with the Phoenix Operation, based on a raid of the military forces and the police in Ecuadorian territory to inflict a blow to the guerrillas. The operation was a bombardment that produced the death of 17 FARC members and their leader Raúl Reyes. The operation violated the air and land space of Ecuador and in addition, took away the life of 4 Mexican students and one Ecuadorian citizen who were sleeping in a border camp between the two countries.

Figure 6. Fenix operation



Source: Vidales (Vidales, 2008)

The break in relations that occurred between the two countries was resolved through a resolution of the Permanent Council of the OAS. This resolution was previously agreed upon by the two States. The terms established were the recognition of the violation by the hand of Colombia of the sovereignty and territorial integrity of Ecuador without an express condemnation. The formation of a Commission to gather more information on the facts was accepted by both parties.

An important axis on internationalization was in 2011 with the Presidency of Alvaro Uribe when the Colombian Government acknowledged, for the first time, the existence of an armed conflict in its territory, assuming a radical change since it only recognized a fight against terrorism. This change provided the cooperation of international bodies and especially for the UN. Later, with the beginning of the peace talks between the State and the guerrilla in Oslo, the international level on domestic outcomes was reinforced and marked a new stage in the settlement of the armed conflict. As Duro (2002) points out, the internationalization of peace would turn into the great challenge of the foreign policy of Colombia, based on the defense of national interests"(p. 96).

1.3. History of the Colombian conflict

1.3.1. The Bogotazo and "The Violence" bipartisan conflict of the 1940s-1950s

The history of the armed conflict in Colombia started in 1949, after the intensified violence following the assassination of the political leader of the Liberal Party, Mayor of Bogota and candidate for President of Colombia, Jorge Eliécer Gaitán. Huge popular protests were initially in Bogotá and then became nationally known as the "Bogotazo", with the start of a bloody period in the history of the country known as "The Violence". This event was known for being the stage for repeated violent clashes between the Liberal Party and the Conservative Party which left around 300,000 dead.

As mentioned, the roots of the conflict were born from the inequalities between the two parties, where there were some inconsistencies regarding the reform of the land tenure, and where people of low economic status were very affected, repressing the agrarian and labor movements, and thus giving more strength to the popular and liberal proposals. With this, the violent battle of powers toward the domination of the State apparatus was also present; being a historical pattern of several decades in Colombian history. The confrontation was particularly promoted by the then President of the Republic, the conservative Laureano Gómez, between 1950 and 1953.

The political conflict resulted in an open armed confrontation. The fact that the members of the State bureaucratic apparatus, of the system of Justice and the armed forces, were affiliated with one of the two traditional parties, although the Constitution ordered that the soldiers should be apolitical, was one of the generators of high levels of violence. (Grupo Nacional de Memoria Histórica, 2013).

The Conservative Party was supported by the Catholic Church. This fact gave the conservatives a moral justification in face of society and legitimized the anti-leftists acts. This violent period was characterized by two constituted armed groups: the first was from the institutional side, the police and the 'birds', a group of assassins in the service of the Conservative Government. The second was, from the insurgent side, with the liberal guerrillas and the communist self-defense. Both sides committed abuses and acts of violence between actions and reactions among them.

The consequences of the Bogotazo spread throughout the following years, plunging Colombia into a period of violence that was the seed of the conflict that has been extended to date. As Urbina and Zambrano (2009) explains, the "effects in the national territory generated great migrations to the cities. Between 1951 and 1973, Bogotá tripled its population and the majority of substandard settlements were built between 1950 and 1970 "(p. 157).

Most historians, such as Cartagena (2016), agree that the violence was ended with the overthrowing of the military dictatorship of Rojas Pinilla in 1957 and with the formalization of the bipartisan, political and electoral alliance between Liberals and Conservatives, known as the National Front (1958-1974).

1.3.2. The conflict during the National Front

The national front was a political agreement between the political factions of liberals and conservatives to exert an alternation with coalition governments, where, in an agreed manner they distributed the ministries and public offices between them. This period lasted from 1958 to 1974.

The division went beyond a simple presidential alternation, since that political party which had the turn of governing would have the obligation to name half of the ministerial cabinet and, in general, in the middle of the entire state apparatus, members of the other party (Mesa García, 2009, p. 159).

Therefore, Liberals and Conservatives distributed power within themselves, leaving aside the intentions of the other political parties and movements. This was justified by having put an end to the military dictatorship and restore democracy. However, the bipartisan pact became an obstacle to the democratic development of the country.

The answer to the military dictatorship of Rojas Pinilla was the main reason of the creation of the national front, but also the fact that conservatives were in a time of minority and found bipartisanship a convenient way of succession in the government, should be taken into account.

The political alternation during the Popular Front was:

Table 5. Political alternation of the Popular Front

PERIOD	PRESIDENT	PARTY
1958-1962	Alberto Lleras Camargo	Liberal
1962-1966	Guillermo León Valencia	Conservative
1966-1970	Carlos Lleras Restrepo	Liberal
1970-1974	Misael Pastrana Borrero	Conservative

Authors: Doménica González y Natalia Paoletich.

Source: (Illán Oviedo, 2011)

With the awakening of the guerrilla movements, the bipartisan associated to denounce any leader or organization who dared to question those who held power. This situation resulted in an uprising of the social sectors that have continued to the present day.

The most important guerrilla groups in this early period were the following: the National Liberation Army (ELN), formed in 1960 by peasants and students as a response to the impossibility of giving voice to their demands in a democratic manner. The Revolutionary Armed Forces of Colombia (FARC) formed in 1964, which consisted of members of the peasantry, who claimed land rights. The April 19th Movement (M-19), which was later constituted in the elections of 1970 after accusing the Government of electoral fraud, and the Popular Liberation Army (EPL).

Because of the unleashed violence and the inability of the State to put an end to the crimes and abuses by both sides, the United Self-defense of Colombia (AUC) emerged. It was integrated by agricultural entrepreneurs and with the objective to protect their lives and the property of the guerrilla. At the same time, the AUC was supported and financed by organized crime groups who aimed to ensure their lands, routes and illicit crops.

The mid-1960s political crisis showed the national front did not respond to the political, economic and social needs of the country. On one hand, the elite, represented in the traditional parties controlled the political scene and denied political participation to the majority of the population. On the other hand, any

political action which transgressed participation spaces of the nationalistic front was considered illegal (Aljure, 2016).

The Catholic Church and the army played an important role in the maintenance of bipartisanship. Governments that followed dealt with combat violence and neutralized left-wing initiatives, but with adverse results, given that it generated a more violent response from opponents. The most important guerrillas appeared in response to the pressure exerted against political dissent. Also, it tried to create a land reform in order to improve the situation of the peasants, but had no results and was postponed again and again by the same members of the National Front.

1.3.3. The evolution of the insurgent groups between 1966-1974.

Guerrillas such as the FARC, the ELN, and the EPL could not achieve their goals to create a widespread insurrection as had been the case in Cuba. On the contrary, they were fought with hardness. Their main areas of influence were the southern regions of Cauca, Tolima, Middle Magdalena, and Sinu and San Jorge rivers. These areas did not provide great resources and were strongly fought by the Government and the armed forces.

Priest and activist Camilo Torres, a leader of the ELN group, was killed trying to ambush military units in February 1966. In the same year, an operation in Quindio, in the hands of the FARC, caused a sharp reduction of its operatives with numerous deaths and the loss of 70% of its holdings. The second Commander of that organization was killed a year later in Boyacá.

The ELN, the main guerrilla group, suffered a great desertion because of internal disagreements that cost the lives of some of its leaders in the so-called revolutionary trials of March 1968. In 1973, the army created an important operation which, after a month of hard fighting, dissociated with the death and capture of numerous guerrilla members and the death of several leaders.

The M-19 group appeared onstage war in January 1973 after a rigged election. It was formed as an urban guerrilla, as opposed to the others which were rural. In January 1974, they would achieve a great advertising effect after stealing the sword of Bolívar in a Museum in Bogotá.

1.3.4. Beginning of paramilitarism

The paramilitary groups emerged as a counterinsurgency response. They were created under an anti-communist ideology that assumed the majority of the armed forces. As Velasquez (2007) explains, "the paramilitaries invaded the different structures of State power, in the perspective of being configured as a political, military, social and economic national project" (p.134). It was, therefore, an answer to the outrage that the guerrillas produced in the country. This response was involved in abuses and violent excesses which accentuated the displacement of the civilian population even more.

Private security hired by large landowners collaborated with the public authority in the restoration of public order altered by the guerrillas and ended up replacing the public authority there where the power of the State did not arrive. Accordingly, these armed groups did not emerge in an improvised way, but they were professional groups who were specializing and evolving according to the regional leaders and the landowners who fed them.

Salazar (2018) commented that in "these last 30 years, the Colombian conflict had to face the new outbreak of violence, because a series of groups that are in the confrontation between the guerrilla and the Colombian army, have found the ideal atmosphere for their businesses: paramilitary bands sponsored by the most conservative sectors of Colombia and bands of the international drug trafficking. The armed conflict in Colombia becomes the environment exploited by the organized crime to dilute in this atmosphere and contaminate the origin of the initial conflict".

Therefore, the paramilitary movements should not be seen as a group raised politically against another, or a defensive response against insurgents that endanger a certain economic or patrimonial good. They should be judged as criminals taking advantage of the conjuncture and protected in a supposed legitimization of the use of weapons, committing illegal violations in the broadest sense of the word.

As it indicated by Gomez (2014), "the conflict armed between the State and the guerrillas, the monitoring of great mining and farming operations and the establishment in the country of powerful networks of narcotics traffickers contribute to the birth of groups armed of mercenary of different nature" (P. 27). Therefore, the professional approach of each of its specializations can be distinguished. In some cases, auxiliary groups of the Army and the Forces of Security, groups of security for the defense of the great private properties and the mining operations, and bands of hit men dedicated to drug trafficking business.

The paramilitary activities obtained a legal support in the authorization of different promulgations and legal dispositions in the sixties. They could operate under the trusteeship of the public authorities and with the purpose of protecting the different communities. This legal laying of foundations reinforced the presence of these groups that instituted themselves in elements of the state order with parallel character. As Rivas and Rey explain (2008), “from the popular, defensive and effective of the beginnings, well ingrained counterinsurgency in the traditional, rural society and of border, it went into an offensive paramilitarism. The answer of reactive character got transformed into an answer of preventive character” (P. 44).

Groups called AUC constituted themselves in the decade of the 90s, through the unification of different paramilitary groups. They have origins in the groups of Self-defense of Córdoba and Uraba (ACCU), with its ringleader Carlos Castaño. The derivations of these groups disputed territorial control with the guerrillas to implant their own social order and economic control. As Salazar explains (2018), these groups had one “expanded prolongation that can be read like the use of groups interested in the implementation of the market of arms, drugs and by all means the conformation of the self-defense to prevent that the socio-economic structures of the country change”. Therefore, the application of these armed groups had a sense opposed to which supposedly they had been constituted.

1.3.5. The 1980s and 1990s

As Salazar explains (2018), “the current Colombian conflict has had different stages. Nevertheless, this period has faced the tensions generated by the global geopolitical reconfiguration, caused by the end of the cold war towards 1989, an event that gave “carte blanche” to the neoliberal project to reorganize the world and turn the planet into a single market”.

The term neoliberalism talks about a politic-economic philosophy that advocates the minimum intervention of state organisms in the economy and policy. Thus the role of the state is reduced to guarantee the individual liberties. It is focused on the methods of free market, the decrease of the restrictions to the operations of the companies, and in the establishment of the property rights. As far as the international policy, the neoliberalism in the international relations proposes trade liberalization by any possible method. Trade liberalization talks about to the adoption of free trade treaties and international division of labor, towards an economic integration.

In this context, Salazar (2018) continued explaining that “encouraged by the transnational corporations and the governments of that time, neoliberalism was

introduced as the result of a single thought, creating a situation of unipolarity that is not only a simple mechanism for the functioning of the economy, but a project that has come to build the material bases of its existence worldwide. The consequences are evident in a deep social and economic crisis throughout the subcontinent, caused by structural adjustment caused by the payment of the external debt, corruption and economic exclusion of large sectors of the population, etc.”.

The development of the armed conflict had an important change between 1980 and 1990, with the expansion of the paramilitary groups, especially the movement “Death to Kidnappers” (MAS). Another event was the return to peace of the guerrilla group M-19, in 1989. This initiative pushed other smaller organizations to also do it in later years.

In an opposite line, the FARC and the ELN had developed greater activity since 1982, and with the agreements formed between these organizations in the so-called Seventh Conference and the National Meeting of Heroes and Martyrs of Anorí. The guerrilla groups had a slow growth during the decades of the 60s and 70s, but in the following decade an exponential development between cash, armament and territorial influence was generated. This growth continued for years.

The preparation of the National Meeting of Heroes and Martyrs of Anorí not only had to do with the political aspects, but also with guaranteeing the material, logistic and of security conditions for the realization of what would be constituted by its nature in an event of “re-founding” the ELN, and overcoming of the crisis. (Medina, 2010, P. 433)

With the Seventh Conference in May, 1982 a regular revolutionary army called “Revolutionary Armed Forces of Colombia- People’s Army, the FARC- EP” was organized. The objectives that were considered were the creation of an axis of open fronts throughout the eastern mountain range with the intention of dividing the country. The structure of a new administrative approach with a new logistic and financial strategy, was organized.

The new expansion led the organization to claim its tax payments from the cocaine crops and therefore generated friction with the paramilitary groups that controlled the zones and the drug trafficking business.

The dominion areas count on the due monitoring, as well as its radius of influence. In these they operate as a parastate through control of criminal activities, possession of weapons, resolution of social conflicts and disputes between farmers. They also dissolve family, marital and domestic violence

conflicts. In exchange for these services they receive, a system of tax income. (Ortiz, 2006, P. 188)

Therefore, the territories dominated by the guerrillas operated as a sovereign state, where legal issues outside the legitimate state apparatus, were resolved. Also, where taxes or charges for the sustenance of parallel governmental apparatus, were received.

Given the high guerrilla activity, President Belisario Betancur (1982-1986) initiated a peace commission in September 1982, promoting an amnesty law to facilitate commitments. In May 1984, a peace agreement with the FARC, was reached. This contemplated a cease-fire and the creation of a commission. In spite of these advances, in 1985, this guerrilla organization retook the arms and violence, considering that it was high-priority to reach the power through the arms and over any negotiating political agreement. Funding through the production of cocaine was increasing and caused it to become a powerful income instrument in the organization.

1.3.6. The Colombia Plan

With the aim of ending the long armed conflict in Colombia and aspiring to revitalize the country with a peace that would generate social order and a reinforcing of the economy, President Andrés Pastrana (1998-2002) and American Bill Clinton (1993-2001) formed a bilateral agreement in 1999 called the Colombia Plan, or Colombia Plan for Peace.

The North American main interest was the prevention of illegal drug trafficking in the US. On the Colombian side, the main objective was to achieve peace and to regenerate the conflict zones by developing security. Both aspirations could be reinforced in a joint plan that would provide the desired results for both countries.

As explained by Medina (2010), with the Colombia Plan, the war that the country was going through was no longer an internal issue and passed on to have an external dynamic, opening the doors to the intervention of another country (US) in the issues of Colombia.

For the development of the Plan, the North American executive facilitated the Andean Counterdrug Initiative (ACI) program. It also provides with extraordinary financing with the Foreign Military Financing (FMF), and the Department of Defense Central Counternarcotics Account.

The Plan lasted fifteen years. The US investment during this time was of 9.600 billion dollars and on the part of the Colombian State around 131 billion dollars. The Plan was fragmented in three periods:

1. – The Plan for the peace, prosperity and fortification of the State. It was carried out between 2000 and 2006. Its objective was the fortification of the operability of the Public Forces, eradication of illicit crops, collaborative plans for the economic development of the regions in conflict and a legal reform that expedites the application of legality, as the Accusatory Oral Penal System (Rosemary, 2004).

2. – The strategy to strengthen democracy and social development. It was focused on a plan for the development of democracy and social strengthening. It was executed between 2007 and 2009. Actions for human rights with the fortification of justice and the integral attendance to the displaced population, were conducted. In this phase, in addition, the Colombian Government initiated a process of nationalization of the military material delivered in the framework of the Plan. (Rosemary, 2004).

3. – The strategic development initiative for Colombia was covered in the period from 2010 to 2015. The fight against terrorism and drug trafficking was expanded, along with strategies for social and economic development for the affected population.

While 72% of CP resources were allocated to the military and police support, it focused mainly on the professionalization of the service of the military forces, and the fight against the drug trafficking, 28% was destined to humanitarian, social and economic initiatives, and to the justice administration. (DNP, 2016)

The results of the Colombia Plan favored the balance of forces between the State and the insurgents. There was a reinforcing of the operational capacities of the Armed Forces and the National Police. The areas of cocaine fields were reduced in a 50% in the first years of the Plan. Social programs were launched and others aimed at public administration. Also, there were economic benefits with the application of the Plan, since exports were extended in 11.6% annually.

Some analysts, like Cosoy (2016) and Giraldo (2016), consider that the Plan had negative consequences, such as the eradication of cocaine crops which did not work and where dangerous pesticides were used. Victims increased, reaching at almost one million people in 2008. These actions increased the risk for the defenders of Human rights thanks to the intensification of military operations. Furtive mining was increased, moving the repression towards other parts and leaving mining neglected. With the demobilization of paramilitary groups, groups without activity dedicated themselves to drug trafficking, extortion and other criminal activities. The supply of mercenaries to other countries, was increased, as the Armed Forces have acquired important levels of professionalization.

The Colombia Plan constituted means to debilitate the groups fighting the State. However, most of the resources and efforts were not allocated in the resolution of the real problems that gave way to the conflict in the first place, creating more resistance to the peace.

1.3.7. Uribe's Government

Álvaro Uribe Vélez was elected President of the Republic of Colombia in 2002 and re-elected in 2006. He was a politician within the liberal faction. His promotion to the Presidency was supported by the "Colombia First" movement.

Some of the results of his Presidency were the application of the security policy the demobilization of paramilitary heads and the weakening of the FARC. In the course of his mandate the cases of kidnapping, were reduced, going from a tonic of 2.282 per year to 213. Likewise, the homicides reduced by 40%. On the economic level, inflationary inertia was reduced, happening from 7 to 2%. The rate of unemployment was reduced in four points. The foreign investment tripled. The GDP grew to an annual rate of 4.47% (Barrios, 2010).

In the results of the armed conflict, the approaches towards the different guerrilla groups were intensified, which favored the demobilization of the paramilitary ones supported by the legal initiative of the Law of Justice and Peace. More than 50,000 people were demobilized from the guerrilla and paramilitary groups (Cardinal red F., 2013).

The three main objectives of the Presidency were to recover control of the territory on the part of the State, increase investor confidence and generate social cohesion, all through the Democratic Security policy.

As Garzón (2011) indicates, the result in security in Uribe's mandates was marked by important results that were translated in military triumphs on the territories dominated by the guerrillas. The result was an increase of the military potential of the State that resulted in a weakening of the FARC, at the same time paramilitary groups were mobilized.

Also during its management, the scandal of concealed arbitrary executions of the "false positives" came to light. In 2006, members of the Armed Forces were involved in the murder of innocent civilians, within the operations against the guerrilla groups. The assassinated civilians were impersonated as guerrilla killed in action. Telephone interceptions of senior state officials and members of the opposition were also harshly criticized.

Once again, the attempts aimed at pacifying the conflict were destined to the violent weakening of the guerrilla groups and not to heal the social inequalities of the internal war, perpetuating the constant fight of interests of the parties involved.

1.4. Consequences of the conflict for Colombia

1.4.1. Emotional and psychological consequences

The conflict generated a series of hostilities that brought as result important damages at a psychological and emotional level, mostly among the population that did not participate in the conflict and that generally was alien to its causes. As Herrera (2016) expresses, in a country like Colombia with problems of violence derived from the armed conflict, varied clinical group of symptoms ranging from posttraumatic stress to type II bipolar affective disorders, among others, have been found.

An investigation carried out by Ramirez (2016) on a sample of almost seven hundred people exposed to the armed conflict of Colombia, found data that the main psychological affectations among those studied were the feeling of fear that somebody might harm them, alcohol consumption, mood alterations and post-traumatic stress symptoms.

Herrera (2016) on the other hand, determined that “people who experienced the armed conflict have a 65% chance of developing bipolar affective disorder type II”. The civilians sunk in the fight of Colombia were forced to suffer in solitude the psycho-social consequences that violence produces. Emotional problems are the least visible wounds of a war. Displacement and family disintegration also make a dent in the emotional consequences of the population.

The drama of the violations and gender abuses cannot be forgotten. In this aspect, Amparo (2018), commented that “in the period of 2010-2015, 845.747 women were victims of sexual violence. One of the things that interested them is to know why it happened to them, what it happened, and that the perpetrators of those victimizing facts, assume responsibility of what they did. They are not very attached to the idea that the people in charge go to jail, but to the non-repetition of the facts and the repair of the damage”.

Therefore, not only compensation must be sought, but is very important for the victims to know that those acts cannot be committed again, promoting a climate of

tranquility and calmness that the victims need to reconcile their past with the present and future.

1.4.2. Moral consequences

The serious abuses against the civilian population also resulted permeating moral damages in the Colombian collective. The cases of kidnappings or homicides of family members are damages that the population will have embodied in their memory for many decades. The dignity of the victims was outraged and there was a “devaluation of ideals and beliefs and violence of the most intimate values than sustains the collective identity” occurred. (National Group of Historical Memory, 2013)

Social stigmas and collective accusations have been created, that is to say, towns and whole communities have been affected. Feelings such as sadness, affliction, discouragement, shame, skepticism and rage were frequently presented in stories of victims. “It is said that the war diminished the ability to enjoy, to feel to pleasure, to feel happiness. The affectations to honor and good reputation were so great that they caused individual and collective intense sufferings” (National Group of Historical Memory, 2013).

1.4.3. Political consequences

One of the first consequences of the conflict is the polarization of politics in society, moving to the extremes of right and left. The paramilitary groups at first were a political answer of extreme right to confront the guerrilla positions of left. As well, economic dynamics brought a drift towards far left positions that the guerrilla groups picked up.

There was a emergence of subordinated political movements where the armed groups imposed their presence. These parties took advantage of the situation of administrative disorder to enter the institutions bureaucratically. In addition, they based themselves in a position of force in face of the citizens preventing the democratic exercise.

In the international arena there were reports by NGOs on the violation of Human Rights in relation to the actions of the Armed Forces. As Orozco and Suarez explain (2013), the achievements in military matter and public order that were obtained did not correspond to respect for Human Rights.

As Kalmanovitz (2005) indicates, the weak presence of the State and the bodies of security in large areas of Colombia is a reflection of its fragility and weakening. The local administrations have been influenced by the owners of large estates and have disregarded the security systems that guarantee the rights of property of all the people, in addition to not covering other needs such as it is education or access to health.

1.4.4. Sociocultural consequences

Poverty and the referred humanitarian crisis that Colombia has lived have had serious consequences in many aspects, including education. Numerous teachers and thousands of students are victims of the conflict by being forced to move away from classrooms, and in the worst of the cases involuntarily recruited in the guerrillas.

As it indicated by Castellanos (2016), from 1984 to the present time almost two million students underwent the violence of the war, along with teachers who were displaced, threatened or assassinated. Almost five thousand of these students between the ages of 10 and 17 were recruited in the rows of the guerrilla groups.

Another relevant sociocultural aspect is the loss of relations between the urban and rural sectors, since the war happened mainly outside the large cities and the rural society was isolated from the rest of the country. The prolongation of the conflict accentuated this aspect, evidenced by the lack of technological advances in the rural areas that were applied in the daily life of people.

1.4.5. Economic consequences

Since the nineties, as exhibited by Alvarez and Rettberg (2008), “diverse academic and state institutions have focused their attention on considering the costs that the conflict has imposed to certain productive sectors of the economy and to the Colombian society in general” (P. 16). From the more relevant economic aspects of the conflict, seven can be distinguished:

- The State had to consign great resources to maintain to the war and the internal conflict.
- National budget needed to be imposed to replace the infrastructure of the country, like for example for towers of energy, gas pipelines, pipe lines and road infrastructure.
- There was a diminution of the investment and production in the rural sector. Some of the consequences were the insecurity in the zones of conflict, the normal production in the agrarian sector and the lack of health, education and basic cleaning.
- Monetary instabilities on exchange level took place (devaluation of the peso), and the influence of drug trafficking in the increase of the contraband affected the industrial sector.
- The investment in oil operation on the part of the multinationals fell and led to that the oil self-sufficiency turned limited and almost run out.

- In the tourist sector, the development had a reduction due to the problem of insecurity in the country.
- The transfer of illicit crops generated an important deforestation and consequently an ecological damage to the natural wealth of the country took place.

The effects of the armed conflict had some fundamental dimensions: the harmful effects on the manufacturing industry, the changes in the agricultural production, and the foreign investment.

1.5. Conclusions to the first chapter

The Armed Conflict has jeopardized the life, security and integrity of Colombian citizens and the region in general. The conflict was developed between the Colombian State and the formation of some farmer guerrillas of far left in 1960s. The most outstanding guerrillas are the Revolutionary Armed Forces of Colombia (the FARC), and the Army of Nacional Liberation (ENL). As a result of the guerrilla threat, the paramilitary and counter-insurgent groups appeared, like the United Self-defense of Colombia (AUC). The guerrilla and the paramilitary groups have been both accused of participating in drug trafficking. The Colombian conflict, with their violent manifestations and the criminal activity, has prevented economic development. National and international investment, fell during the worst years of the war. The economic reality of the country has been marked by violent processes of evacuation and expulsion of the indigenous, Afro-American and rural societies. Among the consequences of the conflict is the increase of the homicidal violence, besides other acts like kidnappings and losses of infrastructures.

CHAPTER II

The Construction of the Peace Agreement in Colombia

2.1. Peace processes in internal conflicts

The constructions of peace are not independent processes according to the dynamics of the affected society. Peace must be built from the interests of all the people who are affected. As Fisas (2006) wrote, "peace is something more than the absence of war" (p.18), a horizon with an ambitious reference where there is no docility of one of the parties or the resignation of another. Darby (2001) stresses the need to create an effort among all the actors involved to achieve peace. In particular, this author relates a series of indispensable premises to consider for the construction of peace:

- Negotiation in good faith between all parties.
- All the actors involved must be included in the negotiation.
- A central agenda should be included in the peace process.
- There should not be a systematic use of force in the process by any of the parties.
- There must be a long-term commitment.

Without this precise framework one cannot speak of solid peace processes. The absence of good faith of any of the parties to the conflict, the lack of a holistic view of the actors in it, a weak central agenda that does not substantially transform reality, the use of force or lack of commitment of the parties. They undoubtedly represent an obstacle to the construction of true peace.

However, peace is a process, and therefore, an obstacle in its implementation, represents at the same time an opportunity to make decisions that appease it. As explained by Ugarriza, Cotrina and Sequera (2013), "the parties of a process should assimilate which strategies or options have worked and which have not worked" (p.155), so that a creative strategy can be created that generates a solution of peace, with the perspective of previous failures. Therefore, the Colombian process should be directed on these essential points named by Darby (2001) and following the previous results to understand what were the causes that generated the continuation of the conflict in order to not repeat them again.

As explained by Valencia, Gutiérrez and Johansson (2012), for success, the following aspects in peace processes must be taken into account:

- About the initial conditions:

- Identify the origin of the conflict in all its dimensions
 - Build trust, exploring new opportunities
 - Prior indication between the parties of the negotiable and non-negotiable issues
- About the agreement:
 - Treat 3 key issues: substantive issues that caused the situation; operational issues, with suspension of the conflict or ceasefires; procedural issues, rules of the game and compliance
 - Development of a framework and process where there are no exclusions from anyone, defining the negotiation with the common aspects; confidentiality; and, a realistic and stable timeline
 - Discussion with joint resolution; polarization, improving relations with consultations; segregation, with the control of hostilities; destruction, with the control of violence.
 - About commissioning:
 - Peace agreements are only an initial step in a process with a greater and long-term scope, which has to do with the construction and consolidation of a lasting peace

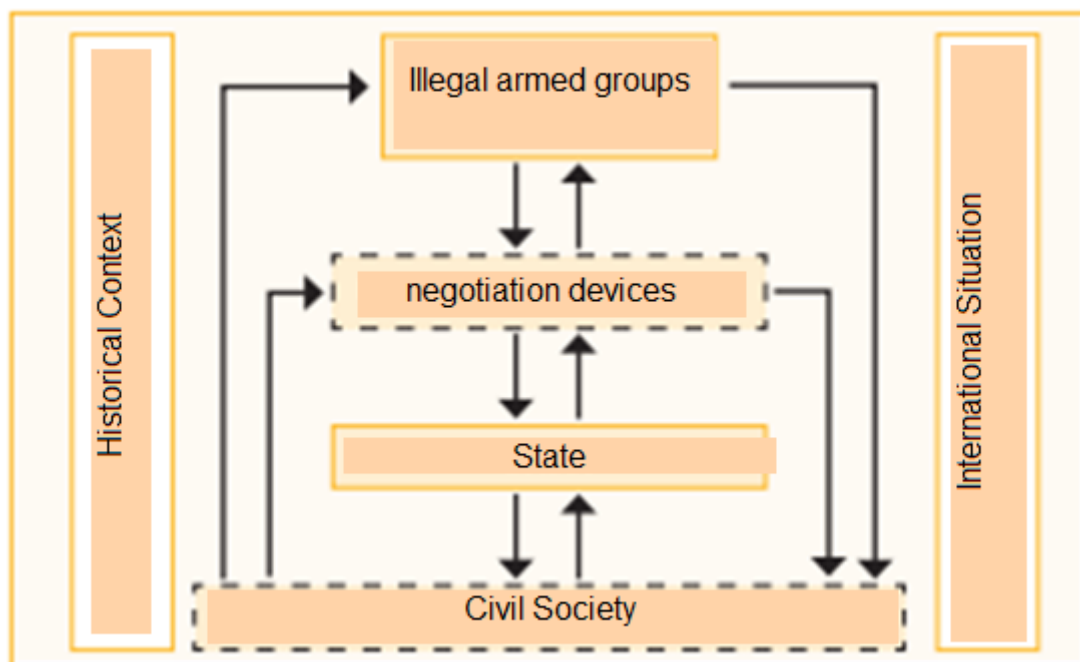
In this peace process, certain stages must be considered that must be fulfilled to make effective the end of violence, and that Grasa and Mateos (2011) expose:

- 1.) The problem must be considered intrinsically with social relationships. In this sense, the parties must jointly elaborate strategies to manage incompatibilities and differences.
- 2.) The transformation approach is important: fully understand the nature of the conflict and visualize the end of peace as a result beyond the silence of weapons, visualizing the root and the different causes.
- 3.) Construction of negotiations aimed at making long-term transformations, that is to say, that does not end at the negotiating table, nor after it, but over a long period, prioritizing in the first place the problems that started the conflict, seeking the mobilization of all those involved to build the solution; and, accept the protagonism of the process to the parties and the affected society. In short, peace comes from the actors themselves directly and not from outside impositions.
- 4.) Awareness of the long-term process and the possible setbacks that may occur in the course.
- 5.) The intermediation of third parties to favor balanced mediation processes.

Therefore, mediation comes to fruition when a positive and significant change is created in the management of a conflict and in the subsequent interaction between the parties. It must be understood as partially successful, when the effort has served to bring the parties together in a dialogue and the beginning of negotiations. And, it should be considered a failure, when the intervention has not had a verifiable result of change in the short or medium term between the actors.

As determined by Arias (2008), "a political and negotiated solution to the armed conflict is necessary, in order to move towards peacebuilding processes, which are not limited simply to the silencing of rifles". Indeed, peace processes can not only be based on appeasement of weapons, which is the most obvious and resounding element of a conflict, given that if this were the case, the root of the problems manifested in the belligerency would not be solved and would become soon or late to a new confrontation of the parties

Figure 7. Peace process dispositives



Source: Arias (2008)

We see, then, that the historical context, together with the international situation, influence the flow of forces and elements that interact in the peace process. The elements that interact are marked by those circumstances that intervene favorably or unfavorably, depending on the moment in which they are performed. Authors such as Held (1997) and Tondini (2011), indicate that the tonic is the focus of the causes and triggers from historical horizons, excluding in some way the influence of the international

situation in it. As Rubio (1993) suggests, the construction of peace is based on filling the needs of injustice and the dissatisfaction of human needs. The task of peace negotiators lies in the construction of new paradigms of social justice and the development of basic and elementary needs in society. As will be seen below, this effort to reach all these social elements and needs were not addressed in their entirety and that is why Colombia suffered failures after failure to reach a peace agreement, which was only possible after the agreements reached in 2016.

2.2. Peace processes in Colombia

Throughout the history of the Colombian conflict there have been several attempts to bring the parties together in a dialogue in an attempt to bring about a peace agreement. In the different phases of the conflict there were moments of serious tension that made a conciliation pact for the contending sides impossible; at the same time, there were attempts by both parties to generate a peace project, which unfortunately never happened. Since 1982 there have been attempts to negotiate peace seven times, and before there were also failed attempts. As the candidate and winner in the presidential election of 2018 Iván Duque (2018) explains: "time passes and the hopes for real peace after the Colombian conflict, which were never many, are getting old". The objective, therefore, must be through a sustainable and lasting peace construction in time.

The conflict has continued since the 50s with the beginning of «La Violencia», together with the 1960s with the low intensity asymmetric conflict and the recrudescence stages that began later in the 80s, until the beginning of the Final Peace Agreement of 2012 and concluded in 2016.

Therefore, we can distinguish these three periods:

1. Fifties until the 70s
2. Decade of the 80 until 2012
3. 2012 with the Final Peace Agreement, hereinafter

The first period (From the fifties until the seventies)

One of the high points of the conflict occurred after the murder of the jurist, writer, politician and mayor of the capital, Jorge Eliécer Gaitán, in April 1948. The motives and links of the murder are still not very clear, but it generated a wave from political tensions and polarizations to an extreme in which civil war was talked about, since, as explained by Franco (2012), there was a part of the population with liberal ideas and a conservative

one, with publications that supported the argument that favored the supporters, in addition to the Church inclined to support the conservative positions. This environment transformed the conceptualization of the problem since then, understanding it since then as an open war between two opposing sides.

During the fifties, under the presidency of Rojas, the State began two initiatives with the objective of eliminating violence. The first was attempted between 1953 and 1954. Through the amnesty aimed at the peasants and laborers who acted under the liberal guerrillas. This attempt failed because it only focused on an amnesty plan to achieve the counterpart of cessation of violence, in addition to only being aimed at the liberal insurgency and a specific peasantry.

The second occurred in 1957 through a pact between the two traditional parties of Colombia and which was based on the aforementioned National Front. From that moment, as indicated by López (1999), "the relations between the political regime and the guerrilla, which emerged in the 1960s, would move within the framework of bipolarity" (p 246). In the international context, in those years, the beginnings of the Cold War were lived where the "Western" block was threatened by the geopolitical growth of the communist bloc led by the Warsaw Pact and the establishment of the Communist Party in China. This circumstance inclined to agree in a more fluid way, with the insurgent groups of a less radical cut, separating the extreme left tendencies, which made a change in the violent relations of the country unfeasible.

In this incipient period of the conflict is seen, how by on one hand there are attempts at rapprochement and stabilization, but they are truncated because of the increase in hostilities on the part of the insurgents, and on the other hand, by a lack of perception of that the problem starts by the inability of the State to propose reforms of a political, economic (agrarian, especially) and social type. The failure was due to the fact that the State focused only on agreeing with the less radical insurgent groups, without mediating with all the actors, nor with the affected society, as specified in the proposed Darby (2001) model that we analyzed earlier.

In this sense, referring to the peace attempt of the 1950s, as explained by Baracaldo (2014), this peace process was not negotiated. They tried to make a gesture to mitigate the terrorist wave that haunted the country. The plan of President Rojas pursued the demobilization of the guerrilla groups, with an amnesty for the rebels, but of which there were no effective results. The actors in this process were a part of the rebels, not all the insurgent forces, on the other hand, the State did not conduct a process of negotiation and prior agreement and worked only on a policy of gestures, but did not elaborate on

the causes that motivated the guerrillas to rise up in arms, as was an agrarian reform that guaranteed their rights against the despotism of the landowners.

Despite this fundamental error, one of the most important demobilizations was achieved until then, given that some armed groups from the provinces of Antioquia and Tolima requested complementary demands for their surrender and that the government accepted, creating a Rehabilitation Office and Socorro to collaborate with those affected by the violence. The result was that about seven thousand guerrillas left their weapons. Despite this, many insurgent groups refused to surrender the weapons and clung even more to the jungle areas or to the interior of the provinces where they acted and continued the confrontation. Therefore, it can be seen that, on the one hand, a part of those raised in arms could be rehabilitated, but others remained in their same positions and even worse, they strengthened their belligerent responses. All this is because no solution was proposed from the root of the problem, and only acted to ingratiate oneself with the insurgents without taking economic and social policy measures, which were the basis of the problem and the primary element that caused this situation.

In the late 70's, President Lleras (1966-1970) formed a Peace Commission, but from which he had to resign due to political and administrative pressure. The actors were the Presidency and the most important guerrillas of that moment. The initiative failed quickly, because following the model of Darby (2001), did not take into account the participation of all actors involved, in this case, civil society and the Armed Forces, which were against by not being part of commitment and elaborate it behind their backs. The pressure of these excluded groups was the cause of the failure of this attempt.

In 1973, after the military operation carried out by the 5th Brigade of the Colombian Army against the National Liberation Army (ELN), a column of almost a hundred guerrilla members was eliminated, which was equivalent to one third of the organization. Among the casualties were two of the most important leaders of the ELN. President Misael Pastrana (1970-1974) considered, with these results, the dismantling of that guerrilla.

A few years later, under the Presidency of Alfonso López Michelsen (1974-1978), the guerrilla group tried to start a peace cycle based on the surrender of arms on condition of an amnesty for the ELN. A round of negotiations began to create the ideal situation, although finally the guerrillas never gave up their weapons, arguing a lack of guarantees towards them.

That attempt of peace was marked by the political conjuncture of the National Front, where the dissidence was criminalized. As Ramírez (2012) writes, social and civic movements began to be repressed. A peace was reached under the repressive fist of

the State. Attempting to achieve peace, a legal system was created under security statutes and "protest was criminalized in a democratic system" (p.125). In these circumstances, the ELN guerrillas did not lay down their arms for fear of being retaliated later.

At the end of the seventies, a Peace Commission was formed under the auspices of former President Lleras, which was harshly questioned by the Armed Forces, which at that time had delegated the armed conflict, to the point that they had to resign. Public opinion forced the government to offer a new amnesty for the insurgents, but it would not be very successful due to the cut character of the Law. The actors involved were the ELN guerrilla and the Government, leaving aside the Armed Forces and the victims of violence, which created a resistance and a criticism that made this attempt fail.

The second period (Decade of the 80's until 2012):

The international situation of this period was marked by the overthrowing of Somoza, the authoritarian president of Nicaragua and the international recognition of the Farabundo Martí of the National Liberation Front (FMLN) of El Salvador. All this contributed to the enthusiasm of the guerrilla groups, who saw in these two events the example to follow to achieve their goals.

With the presidency of Julio Turbay (1978-1982), a peace commission was created where the former president Lleras was supposed to lead the process, but he resigned when finding impediments to contact with the insurgency. This attempt failed even when an attempt was made to unite the Armed Forces and the guerrilla of the M-19, but these were not all the actors of the conflict, given that the other political forces were excluded and also the affected society. They produced pressures for these negotiations to fail and that's how it was.

In 1982, President Betancur (1982-1986) initiated a process with the FARC, specifically with 34 members to make his political project viable. To begin the dialogue, an amnesty was decreed that opened the doors of the prison to many guerrilla members, which generated a very strong polarization of the public opinion. The actors present were the Revolutionary Armed Forces of Colombia, the People's Liberation Army, the April 19 Movement and the Workers' Self-Defense. It was tried to include the ELN but there were no great results. To achieve the desired results, the Presidency promoted a project of political opening through Decree 2771/82, for the creation of the Peace Commission. At the same time, it sanctioned an amnesty in face of the Congress that became Law 35 at the end of 1982. On the other hand, a national rehabilitation program was interspersed

with other social programs. In short, as indicated by López (1999), "was based on recognizing the political character of the guerrilla" (p.249).

Despite having broad social support, both nationally and internationally, the initiative did not have the support of the unions, the military sector, or political parties in Congress, including those of the same formation, the conservative. The expectation was that there was no unitary perception of how to achieve peace. It can be deduced that there was a part of the problem that was not taken into account and therefore the pretense of peace was doomed to failure from the beginning. As Jiménez explains (2009), a broader concept of peace must be sought, focused on a transformation and resolution among the individuals or groups that compose it. "Therefore, to claim an imperfect peace, which can never be total nor that is present in all social spaces" (p.167), has not existed nor will it exist.

This peace process failed, because it did not follow the model proposed by Darby (2001), in which it is necessary to engage all the actors and not only the two main ones that are the Armed Forces and a specific guerrilla group. The anticipated amnesty only created fury of the opposition forces that saw in this action a danger to security and an increase in hostilities, as it was; besides not creating a pre-negotiation table that exposed the points to resolve.

In 1984, the Government of Betancur and the FARC signed the "La Uribe" Agreement, where a Peace, Dialogue and Verification Commission was signed. The ceasefire was ordered by the FARC-EP and by the civil and military authorities of the country.

The process failed and was broken in 1987. The causes were the same as in the previous one. The delivery of prisoners was included, but the delivery of arms was never agreed. The FARC took advantage of the ceasefire to expand its territorial influence and the displacement of the population occurred. One of the weaknesses of the process was the weak negotiating capacity of the Colombian government vis-à-vis its counterpart. This characteristic meant that the delivery of arms by the guerrillas was not contemplated. It was agreed that one year after the effective ceasefire, an integration process would be opened, supported by the Amnesty Law. That armed truce only became a simple legal fiction, which the guerrilla groups took advantage of to expand their strength and multiply their fronts.

For analysts like López (1999), or Barakaldo (2014), the failures were:

1. The lack of clarity in the negotiations.

2. The inability to apply the mentality of the military in the political opportunity and to bring them closer to the resolution of peace.
3. The support of the guilds, the military and the landowners to the measures of force.
4. The reticence of the military to a political solution in the framework of a negotiation with dubious solutions.

We see, then, that there was no proposal to conciliate the insurgent party in their motives to rise up, and the problem was always posed from pure insurgency, the use of armed force and sabotage, as the only element at play, when the problem must have been focused on the causes that cause this situation. The State did not know how to focus the reality of the problem and only acted from plans of amnesties and socio-labor recovery of the members and victims, by way of a patch, when still beating the problems that had burned the conscience of one part of the society that saw in the intransigence and the immobilism of the groups of power, the only way to get to change the situation.

One of the most important triggers for the failure was the taking of the Palace of Justice in November 1985 by a commando of the M-19. This guerrilla aggression definitively buried any attempt to reach new peace agreements in that Presidency. The act resulted in the death of more than a hundred people among civilians, almost all the guerrilla members who acted, high-level magistrates and other judicial servants. The "April 19 Movement", abbreviated M-19, was a leftist guerrilla group founded by university students that emerged as an answer to an electoral fraud of the Presidential elections on April 19, 1970, where Pastrana won. Therefore, this movement supposedly claimed the establishment of a true democracy in the country.

In 1988 with the Presidency of Virgilio Barco (1986-1990) there was an attempt to bring peace with the FARC, which was unsuccessful due to the abuse of paramilitaries.

The talks were held under the slogan "hand outstretched and firm pulse", during his presidential term from 1986 to 1990. To facilitate dialogue on the one hand, the Integrated Rural Development (DRI) program was promoted to strengthen the productive capacity of the peasantry, increasing the supply of staple foods for peasant families (Castro, 1995, p.67), this program was applied in the most depressed areas of the country. On the other hand, the Ministry of Reconciliation, Normalization and rehabilitation was created. The purpose of these strategies was to undermine the social base that nourished the guerrillas.

At the same time, the basis for a hypothetical negotiation with the insurgents was forced to impose the premise of the abandonment of arms. The murders of politicians and the

actions of the guerrillas were intensified, and the appearance of the self-defense groups, the paramilitary groups and the actions of the drug traffickers were added to these facts. All this favored the issuance of Decree 180 of 1988, on the anti-terrorist statute, at the same time a new military headquarters was created in Urabá and the increase in military spending.

This attempt failed, because there was no pre-agreement designing the basis of a real negotiation, each insurgent group had different aspirations: the ELN maintained its position of not dialogue, the FARC initiated a double dynamic of dialogue and confrontation at the same time.

In 1990, at the end of Barco's presidency, a peace agreement was signed with the M-19 and the urban groups EPL and PRT and with the indigenous guerrilla Quintín Lame after a previous amnesty for these groups. The guerrillas handed over their arms integrating themselves into civil life and forming themselves as a political group. This negotiation was basically a partial triumph since it did not include the guerrillas of all the country and only one that had an urban character, which did not solve the whole problem. This demobilization that took place was an important advance for the country and for the peace that was being pursued, but it could not be extended to the two most important armed forces, and consequently, the national instability continued to persist.

E I M-19 was formed as a political group in 1990 called "M-19 Democratic Alliance"; the Quintín Lame group was dissolved in 1991, after negotiating with the State the inclusion of a representative in the National Constituent Assembly; the urban group EPL undertook a process of demobilization, moving to form a political group called "Hope, Peace and Freedom"; the PRT, formalized a peace agreement in 1991, had to be reorganized as a political party, but never formed as such. On the other hand, the FARC and the ELN continued their guerrilla actions.

In 1990, under the Simón Bolívar Guerrilla Coordinator, a dialogue process was initiated with the guerrillas of the FARC, the ELN and the EPL. President Gaviria (1990-1994) introduced a new approach in dealing with international oversight, in addition to allowing territorial control of the demobilized to favor their reintegration. The process of conversations was carried out in Caracas (Venezuela) and in Tlaxcala (Mexico).

The role of international organizations in the conflict contributed to the opening of negotiating channels, especially in the moments of tension that took place between the parties during the negotiation processes. Economic collaboration has also been a relevant element, where countries such as Spain, France or China, among others, have participated with resources for economic and social development.

The negotiations were paralyzed by the kidnapping and assassination of former Minister Duran Quintero by the EPL guerrilla and the posture of integral war in the last two years of the presidency of Gaviria. This terrorist act put an end to this process, but it was already unsuccessful because the negotiations were not carried out with all the actors and negotiated separately, with the consequence that the space left by these last groups was occupied by the FARC and the ELN, who felt more strengthened.

In 1998, the Samper administration (1994-1998) underwent a substantial change, changing to a moderate tone that favored the climate for a new negotiation. The Social Solidarity Network, the National Plan to Combat Poverty and the National Employment Plan were integrated into the Presidency's peace program, as well as the strengthening of security, justice and human rights policy, together with the negotiation policy with the insurgents. Perhaps, because President Pastrana was a member of the Liberal Party, he had the possibility of having a more open dialogue with the guerrilla opposition, given that he promoted a social government, highlighting the so-called "Sisben", which expanded the health coverage of the citizens, the creation of the Ministry of Culture and the Social Solidarity Network. All this, in addition, demonstrates that the sensitization of the negotiations to deal from a social and reforming perspective of the economy and the democratic system gave better results than the simple negotiations to exchange weapons for peace.

Negotiations intensified with the ELN group along with Germany's mediation. In the progress of the dialogue, a preliminary ceasefire agreement was reached. The achievements went down, after the death of "Cura Pérez", the leader of the ELN organization, and the process was terminated. The failure was due to not having a previous negotiating agenda that would set the necessary guidelines for a definitive agreement, in addition to not having all the actors involved; an approach was made with the ELN, but other important formations were left aside.

On the other hand, and to have a more complete contextualization, with the renewed actions of the guerrilla in the nineties, Surveillance and Private Security Cooperatives (CONVIVIR) emerged. Its activity was legal with the ostentation of weapons and communication equipment, which protected the communities and supported the public forces in the counterinsurgency fight. In relation to the CONVIVIR, the formed groups took advantage of its legalization to integrate bands that neutralized the guerrilla groups protected by the legality created by the State.

There is a possible responsibility of the state when the CONVIVIRs were created, because the Defense exercise was regulated with own tools of private

use of the armed forces of Colombia, without taking into account that these could be misused by individuals or groups that could use them for the sake of their own private interests and thus generate a series of doubts and uncertainties for each of the inhabitants of the Colombian territory, who were affected by internal armed confrontations. (Camacho, 2017, p.22).

Contrary to the aim of destroying the guerrilla groups and taking control in order to avoid the massacre that was perpetuated during long decades of combat in the country, crimes were committed that made a deep impression among the victims and their families, since they violated human rights in terms of rights to life and human dignity.

With the arrival of President Andrés Pastrana (1998-2002), peace negotiations with the FARC began. At that time, the armed conflict was clearly defined between guerrillas, paramilitaries and drug traffickers. In November 1998, as a gesture of good intentions, the public forces of three municipalities in conflict withdrew. The peace dialogues started but ended in a resounding failure due to the excess of issues in the negotiation (110 points) and a lack of government negotiating strategy.

The demilitarized area covered 42,000 km², which became known as the "demilitarized zone". Initially it was established for a period of six months, but it was extended for four years. During this period, illicit actions were taken, such as kidnappings, account adjustments and assassinations. As Ariza explains (2014), the FARC, "as a result of the consolidation of its power and of showing the monopoly of force, through different actions began to permeate the political, social and economic aspects in the area to favor its interests" (p. 44).

Figure 8. Municipalities that make up the Caguán Clearance Zone



Source: Jerónimo Ríos (2015)

The distension of a good part of the territory served the FARC to strengthen itself militarily, but at the same time it weakened in its ideological pretexts, since they lost legitimacy by committing abuses and acts of terror in a liberated part of public forces.

It failed, therefore, due to the fact that a prior negotiation agenda was not considered for a strict follow-up of the points to be dealt with, and on the other hand, because all the affected actors, as the guerrillas, the society, political forces and trade union groups, were not involved.

In February 2002 and shortly after the end of the Presidency, Pastrana officially informed that the process had failed and that the demilitarized zone was canceled, denouncing the scam and abuse of the FARC leader, Manuel Marulanda, alias Tirofijo. With the formation of the zone began to produce the complaints of the citizens of that place because of the violations of human and constitutional rights by the guerrillas.

On the other hand, an agreement was initiated with Washington in the well-known agreement "Colombia Plan", where the two countries committed themselves to increase spending against guerrilla and drug trafficking. The conflict, therefore, was intended to end with the reduction of armed groups, including the FARC arguing that they are no longer a mere ideological guerrilla, but have become a drug gang, giving an ideological turn to the conflict.

After the failure of the creation of the Caguán Distension Zone, Álvaro Uribe (2002-2010) implemented a policy of open confrontation against the insurgents with a strong military offensive along with US forces. During the eight years of the Presidency, exploration

rounds were held with the ELN. The dialogues with the ELN were held in Cuba, but no concrete agreement was reached. With the mediation of Mexico, it was tried again between 2004 and 2005, but also without success. And, in 2007 in Venezuela with the mediation of Hugo Chávez.

All these attempts failed due to the imposition of force exercised by the presidential policy, on the one hand, the military and supportive pressure of the US, and on the other, the case of false positives, where indiscriminate violence was exercised from the hand of the State. It should be noted that, in the absence of all the actors at stake, the attempts were questioned by the critical forces for fear that the conditions agreed upon would give too much impunity in matters such as crimes against humanity, the reparation of victims and those related to drug trafficking.

Uribe increased the budget in national defense and created the strategy of its «Democratic Security Policy» (PSD), which was based on the recovery of control over the territory, the creation of new military units, networks of aid workers and the policy of rewards for the informants. Coinciding with President George Bush's policy of revenge on the war against terrorism, Uribe won an alliance with the United States, to include the Colombian guerrillas within that conflict.

With his second mandate, different military operations were initiated to rescue kidnap victims, including ex-candidate Ingrid Betancourt, in Operation Jaque and Operation Fénix. The pressure to continue having good results against the guerrillas, led to commit excesses by the military and that led to the 2008 case of "false positives", where human rights violations were committed with the killing of civilians by passing them off as insurgents. This case involved the dismissal of the Army Commander, General Mario Montoya, along with other officers and non-commissioned officers. According to Cárdenas and Villa (2012), "the number of victims ascended to 1613 between 1990 and 2009. The prosecution, for its part, reported 2799 victims, while the Office of the High Commissioner for Human Rights of the UN spoke of 3,000 victims between 2004 and 2008 "(p.2).

The third period (2012 with the Final Peace Agreement, hereinafter):

Exploratory talks began in 2012, with the FARC in order to initiate a peace process in Juan Manuel Santos' (2010-2018) presidency who announced the continuation of them. Prior to the negotiations, a calendar and a rational organization of the points that would be debated were created, organizing the national interlocutors that would represent all the actors of the conflict and the international mediators that would help the previous and subsequent negotiation process.

The prolongation of the conflict in Colombia, in the words of the interviewee Amparo (2018), "it obeys many causes, but highlights the lack of political will of the economic and political elites of this country, to end the conflict and reach an agreement. The prolongation of the conflict also has to do with the emergence of paramilitarism, which arises to fight the guerrillas from the extreme right, and the confluence of factors such as drug trafficking and illegal mining. The agreement reached in 2016 could have been reached 50 years ago, this one raises reforms that in any democratic country would have to be made, reforms in the rural areas, in the distribution of the land, in the income and the guarantee of rights to all the inhabitants of the country".

2.3. Final Agreement of Peace

With the Presidency of Juan Manuel Santos (2010-2018), peace negotiations between the Government of Colombia and the Revolutionary Armed Forces of Colombia (FARC) began. These negotiations were known as the "Peace Process in Colombia". The agreements took place in the capitals of Oslo (Norway) and Havana (Cuba). The meetings resulted in the signing of the "Agreement for the definitive termination of the conflict", in November 2016. After the introduction of the Victims and Land Restitution Law in 2011, the Santos presidency made new proposals for negotiations with the guerrillas. This initiative led to a series of secret meetings between the State and the subversion for the creation of a commission and a prior agenda for the following meetings. Once the points of the following meetings and the members on both sides were clarified, the different delegations of the government and the FARC designated Cuba and Norway as guarantors. Cuba was chosen, because it had already been the venue for the first meetings between the parties, and Norway was chosen, because it is a country with a history of other conflict resolutions, with organizations such as the "Peace Research Institute of Oslo" and because several politicians and diplomats of this country were experts in the subjects of the armed conflict in Colombia. Promoting this way, the construction of trust as a fundamental pillar to sustain the development of peace.

It is important to point out that this entire journey, from its beginnings to the final point in the ratification of the Peace Agreements in the House of Representatives, has been followed by a chronology of events and works that must be exposed in order to clearly observe each one of the steps that were taken in this process:

Table 6. Chronology of the peace process

DATE	EVENT
2012	
August 26	Signing of the General Agreement for the termination of the conflict and the construction of a stable and lasting peace
October 18	The dialogue table is established in Oslo
November 19	Declaration of unilateral ceasefire by the FARC
2013	
May 26	Announcement of the first agreement on Land and Rural Development
August 20	Acknowledgment of the FARC's guilt about the victims
November 6	Announcement of the agreement on political participation of the guerrillas
December 15	The FARC announces a Christmas truce until January 15
2014	
May 16	Agreement on drug trafficking and illicit crops
December 20	Announcement of the indefinite ceasefire of the FARC
2015	
March 7	Agreement on army and guerrilla joint demining
May 22	Suspended ceasefire by the FARC
June 4	Agreement to create the Truth Commission
July 20	Start of another unilateral ceasefire by the FARC

July 25	The President orders the cessation of bombings
September 15	A Bill is presented to facilitate the agreement
September 23	Meeting in Havana between Santos and "Timochenko"
October 17	Agreement on the search for missing persons
November 22	Government announcement on pardons to guerrillas
December 15	Agreement on victims of the conflict
2016	
January 19	Agreement on verification of bilateral cease-fires
March 23	Delay of the signing of the Agreement due to discrepancies
April 11	Delayed delivery of arms of the FARC
May 12	Agreement on security and legal stability
June 20	End of Agreement Promise
June 22	Agreement on End of Conflict
August 5	Disarmament Schedule
August 23	Completion of negotiation on substantial points
August 24	The Delegations sign the Final Peace Agreement
August 25	The President delivers the agreement to Congress
August 29	The definitive ceasefire takes effect in Colombia
September 23	The 10th Conference of the FARC ratifies the Havana Agreement

September 26	Santos and Timochenko sign the Agreement in Cartagena and the guerrilla chief apologizes
October 2	The plebiscite is celebrated and the No wins
October 3 to 19	Demonstrations in support of a definitive agreement
October 5	Meeting between Santos and Uribe
October 7	Santos is awarded the Nobel Peace Prize
October 13	The bilateral ceasefire is extended until December 31
November 12	New peace agreement
24 de noviembre	Santos and Timochenko sign the new agreement in Bogotá
2017	
February 15	The FARC is approved as a political party
March 1	The first batch of weapons is delivered

Source: (Baracaldo, 2014)

Authors: Doménica González y Natalia Paoletich

The previous agreement for the negotiation was created in 2011 after the secret request for the Presidency, the parties formed by the State and the guerrillas. As well as the participating countries as guarantors of the processes, developed 65 preparatory sessions that reached the conclusion in February 2012, leaving prepared the succeeding steps that followed.

An agenda was created to address the issues under six points: comprehensive agrarian development policy; Political participation; End of conflict; Solution to the problem of illicit drugs; Victims and Mechanisms of endorsement of the agreements (High Commissioner for peace, 2012).

The number of members in the negotiation was limited to 30 people. The Commission of Government would be led as Chief negotiator by former President Humberto de la Calle. On the part of the FARC, the delegation would be led by Luciano Marín, Commander of the Caribbean block.

It should be noted that, thanks to the experience accumulated in all the previous processes, the parties were aware that the construction of peace, having the will to achieve it by everyone, is a dynamic, non-sequential, process with ups and downs and involves various challenges and parallel action fronts. As indicated by Rettberg (2013), the peace process must be developed from various areas involving parties of different scope and nature. For this reason, the negotiations included not only people directly involved, such as politicians, soldiers and guerrillas, but also it included businessmen, retired political unionists and non-active guerrillas.

With the testimony of the diplomatic representatives of Cuba and Norway the 'general agreement for the termination of the conflict and the construction of a stable and lasting peace' was signed in Havana. The chosen place was in the Stone House of El Laguito, in the Cuban capital. It was the culmination of the previous negotiations that took place between 2011 and February 2012, through confidential discussions between all actors. The agreement starts with the six mentioned work points.

In October 2012, the first round table was established in the Norwegian capital. In the words of Luciano Marín, alias "Iván Márquez", in his inaugural speech he said: "we come to this Norway to seek peace with social justice for Colombia through dialogue" (Viva, 2012). From the following month, the successive negotiation tables were held in Havana.

Therefore, in an environment of neutrality such as the Norwegian capital, the first step was taken to achieve all guidelines that had been pre-established in the agenda. It must be considered, that this neutrality was very important to reach, given that, among governmental political ranks of Colombia, criticisms were forged against the President (especially by former president Uribe) as there were found pre-negotiations of 2011 and 2012.

In November 2012, the FARC guerrillas declared a unilateral ceasefire. In the voice of its Secretary General, the guerrilla units were ordered "throughout the national geography to stop offensive military operations against the public security forces and acts of sabotage against public or private infrastructure during the period between 00.00 a.m. of November 20, 2012 until 00.00 p.m. of 20 January 2013 "(Hernandez, 2012).

The first agreement established in the agenda reaches its approval by the parties involved on May 26, 2013, on the point of land and rural development. It was established that the «rural territories» enjoy political, administrative, economic and environmental autonomy among other factors. This first agreement breaks with the tonic not addressing the real agrarian reforms which were a source of disputes of the insurgents, and that offered the opportunity to ingratiate oneself with this reached point.

Subsequently, in August of 2013, there was a recognition of responsibility by the guerrillas for the casualties caused by the armed conflict. Therefore, this recognition, filled many of the aspirations of the victims produced by the violence caused by the guerrillas.

In November 2013, both parties announced the approval of the second agreement pointed on the agenda, on the political participation of the guerrillas. In this way, the FARC, once the process has been finalized and agreed upon, could incorporate into the country's political and democratic participation. As it has been exposed throughout the analysis of all the negotiations, the aspiration of the insurgent armed groups is to survive with the conversion of their group into a political alternative that can continue to be guarantor of political aspirations through the democratic framework and out extortion of weapons.

On December 15th, 2013, a Christmas truce entered into force by the FARC, lasting until January 15 of the following year. The Ombudsman's Office of Colombia denounced the violation done by the guerrillas of that truce with three armed actions against the public force and public media echoed (La Prensa, 2014). On the performance of the media in conflicts and as expressed by Barreto, Borja, Serrano and Lopez (2009), the media plays an important role in the dissemination of legitimating discourses of political violence, and consequently they are drivers of the visibility of events and groups, given their ability to transfer a message to millions of people. From this perspective, the media witnessed the armed actions that the Ombudsman's Office denounced and that gave credibility to the assertions on the agreed truce.

On May 16, 2014, the gathered parties culminated the third agreement on the agenda, on drug trafficking and illicit crops. They agreed on their manual eradication and respecting those ancestral uses. So, this agreement put in serious trouble the two elements that arose in the conflict and that were intermingled between the parties in dispute, as they were paramilitaries in their multiple manifestations and the business of drug trafficking.

On March 7, 2015, the parties agree on joint humanitarian demining. As Ortega (2016) indicates: "Colombia is one of the most polluted countries with explosive devices and, after Afghanistan, is the second country with the largest number of victims of anti-personnel mines (APM)" (p. 13). For many years the civilian population in rural areas, has had to survive with hidden enemies under their feet. This agreement is very important given that the greatest harmed were the civilian population that is terrified by

the dangerousness of the mines, making it impossible on many occasions to cultivate fields or traffic between populations.

The parties agreed on June 4 to create Truth Commission that would be launched once the final agreement between the parties was ratified. As explained by Millan (2015), "as well as the security forces have been responsible for some violations, opposition groups also have a responsibility in the violations committed" (p. 453). Therefore, both contenders are made responsible for the acts committed, especially those that are linked to human rights, in which there were two offenders and one victim who was the town.

On July 20, the FARC announced a new unilateral ceasefire. At the same time, the Colombian Government ordered the suspension of the bombings by the armed forces, against the positions of the guerrillas.

On September 15, 2015, President Santos presented a Legislative Act Project in Congress that would expedite the implementation of an eminent Peace Agreement. With this legislative act, is expected a legal mechanism of urgency that would limit the interventions of the Congress and accelerates a rapid confirmation of the eminent reached peace agreements, to be accepted and passed to a popular ratification through the ballot boxes.

Figure 9. Meeting between Santos and Timochenko



Source: Perez (Perez Maura, 2016)

The President of Colombia Juan Manuel Santos met in Havana with the FARC-EP Chief, Rodrigo Londoño, alias "Timochenko" on September 23, 2015. They both agreed to the signing of the Peace Agreements by march of the following year, after presenting the bases of an agreement on justice.

In October, a month after the meeting in Havana, the Government and the FARC, announced an agreement to clarify the disappearance of twenty-five thousand people

during the conflict. As Bouvier and Haugaar (2016) state, "in the absence of a corpse, it is difficult for the victims to assert their rights to truth, justice, reparation and guarantees of non-recurrence. Without a body, families cannot bury their loved ones or hold a funeral that would allow them to mourn their dead and close a chapter"(p. 2). In this context, on December 15, 2015, was signed an agreement in Havana between the negotiators on the victims of the conflict, where a comprehensive project is incorporated for reparation, justice, truth and guarantees of non-repetition. Therefore, it was possible to reach one of the most important agreements to achieve reconciliation of all the parties affected in the conflict.

On March 23, 2016, the Peace Agreement was not signed, as had been foreseen in the meeting between the President and the Chief of the guerrilla. The reason was that there were still significant differences in the negotiating framework between the two sides. On the one hand, it is possible to think that this step in the negotiation could be a step backwards, but in reality it became a great step forward, to achieve that other elements that are in the game would later consolidate lasting peace, something that other negotiations had failed to achieve. Items that were not completed to set were the following: 1, the Government considered that once the Agreement was signed, weapons should be left before other parts of the agreement such as transitional justice and political participation were applied. 2, regarding the areas of concentration of the guerrillas, once the Agreement was signed, the Government wished that there were few places and away from the populated areas, while the guerrillas wanted the opposite, since for the FARC, lost the ability to interact with their social bases.

Given this disparity that held back the calendar, and in compliance of both parties to reach the desired conventions for the final agreement, in May 2016, the negotiating parties presented an agreement to grant safety and legal stability to the guerrillas, which would be collected in a special legislation to shield its irrevocability and possible irregularities. Furthermore, the security of the insurgents was improved in possible reversals of future political positions of the State, in its different presidential relays. With this, the Government strengthened its positions and gave the guerrillas an expectation of security.

Finally, on July 22, the Government and the FARC reached the conclusion of the third agreement on the agenda that referred to the bilateral ceasefire, security guarantees for the guerrillas that demobilize, mechanisms for the dismantling of paramilitaries and location zones.

A timetable for disarmament was established in August 2016. The bilateral cessation of hostilities was confirmed, the UN was invited to inspect the combat zones, and the delivery of weapons and the location of the guerrilla arsenals within ten days of the agreement. Therefore, the International Organization became a guarantor of the signed agreements and as a neutral entity could confirm the progress that was necessary to guarantee the peace that was to be signed.

On August 23, the talks in Havana were closed, and the next day the delegations of both parties along with international delegations signed the Final Peace Agreement in Havana. Almost four years of hard negotiations had elapsed, and concluded in an historic agreement. On August 25, 2016, President Santos delivered the signed agreement to the Congress, at the same time announcing the definitive cessation of hostilities. And so, it was a definitive end to a long struggle that had bled the country for many decades.

The guerrillas of the FARC-EP, on September 23, hold the X Conference, ratifying unanimously the agreements signed in Havana. Two hundred twenty delegates and six hundred journalists as witnesses attended to the releases of the conference, which closed the bloodiest page of Colombia with 52 years of struggle. After this preliminary step for the legitimization of the agreements, on September 26: Santos and Timochenko signed the final agreement in Cartagena and the guerrilla leader, in a solemn act, apologized to the victims.

The peace agreement, according to legal guidelines, had to be confirmed in a popular referendum, where there would be a vote of Yes or No, to the agreement reached. On October 2, 2016 the consultation was held and the result was the popular rejection of the agreements signed, with 50.21% of No, compared with 49.79% of Yes. This result put in doubt the four years of negotiations and created uncertainty about the legal implementation of the agreements reached. The reality of the plebiscite forced the executive to take a position for the renegotiation of the agreement, taking into consideration the objections of the opponents who supported the denial position.

Before the outcome of the consultation, the President and a group of supporters of the No, among them the former President Álvaro Uribe, met to reach an agreement. Finally, on November 12, thirty-seven days after the referendum, the Colombian Government, FARC-EP and the representatives of No, reached a new agreement. Pursuant to the agreement, on November 24, Santos and Timochenko sign the new agreement in Bogota, in a solemn, but more discreet manner than the one previously held in Cartagena in September. The signed agreement, then passed to Congress for approval.

Among the reforms to the Agreement, it includes, the implementation of sanctions by establishing specific spaces where those punished by law should remain. And also, the schedule in which they must comply with the restorative sanctions. In turn, it determines that the monitoring of compliance with these sanctions will be carried out by the UN; reaffirms the right to private property and the coexistence of peasant and scale agriculture; and repeals the incorporation of the text of the Agreement into the Constitution.

It should be noted, that this last renegotiation with the parties and the standard-bearers of No in the referendum, was not passed by the polls again. Since this event was not pre-arranged upon the negotiations, neither side objected to not passing the agreements through a referendum, given that both were compliant with independence to other positions that did not enter into the negotiating game. However, the signing of the agreements in this second part has no such legitimation without the popular approval, which was pursued in the first agreement reached.

In the face of the guerrilla groups that did not agreed on the peace agreement and preferred to continue hostilities, the interviewee Salazar (2018), analyzed the following: "with certainty, the dissident groups of the FARC that did not join the agreement, are precisely those who wove relationships with drug trafficking and who have made this business their way of life. They feel pressure to retreat towards the peripheral areas such as the border with our country, which will increase the tensions to have international traffic channels, endangering the tranquility of our border populations". It is possible, that the discretion developed by both parties and by international intermediaries, had a contrary effect about a society that voted tired of false hopes, tired of resignations and resentment, logically, on the other hand, of the people who were affected directly or indirectly in the conflict, and who felt deprived of their reason stripped of their reason and their demands. This was a necessary inclination so that the development of the advances were made with the minimum possible tension. In this case, a longer period of time would have been better, to achieve an awareness that the complete process ensured all victims compensation and recognition of everyone, and that the conflict had truly come to an end. But the need to reach to a quick completion through the plebiscite was necessary, so that new disagreements or inopportune acts would not arise, as had happened on other occasions.

In application of the agreements agreed upon, on February 15, 2017, the legalization of the FARC as a political party and its access with 10 seats to the Colombian Congress is approved. The Senate, in turn, approved the bill with which the six representatives of

“Voces de Paz” could participate in the procedures that would take place in Congress to implement the Havana Peace Agreements, signed in Bogotá on November 24. In compliance, also, on March 1, 2017, the FARC delivered the first batch of weapons with the verification of the UN representatives, and they were completed in June of the same year. On the part of the Colombian Government, one thousand two hundred guerrillas were freed through a special amnesty.

2.4 Description of the Agreement

The agreement signed and concluded November 24, 2016 is composed of 6 arrangements.

First agreement, towards a new Colombian field: Integral Rural Reform (IRR), which is divided into the following sections:

- Access and use. Unproductive lands. Formalization of property. Agricultural frontier and protection of reserve areas.
- Development programs with territorial focus
- National plans for Integral Rural Reform

This agreement lays the foundations for the reform of the Colombian countryside aimed at creating the conditions for good living that the rural population has not had. Extreme poverty will be eradicated in the countryside within ten years, the promotion among the owners, the closing of the social gap between countryside and city and the reactivation of the sector, taking care of the economic development of family and community productions.

On this aspect, the interviewee Amparo (2018), commented: "an element that worries is the reform of land tenure. Large entrepreneurs, by means of displacement, took the most productive lands of this country, depriving farmers of their properties, to heal the problems derived from it. It would merit an effective rural reform, something with which no everyone agrees", even more so considering the victory of the right in the presidential election.

Second agreement, political participation, were the following elements stand out:

- Rights and guarantees in the exercise of the political opposition.
- Creation of an Integral Security System for political practice.
- Promotion of democratic mechanisms of citizen participation in the different territorial levels.

- Guarantees for mobilization and social protest that entail the recovery of the legitimacy of political action,
- Reform of the electoral system.
- Promotion of participation for everyone including the most vulnerable population, on equal terms.
- Creation of 16 Special Transitional Circumscriptions in the war-affected areas. This agreement allows the FARC to become a political party that may in the future enter the democratic game and away from the imposition of arms. To do so, is secured by two electoral periods, representation in Congress and the Senate of five members in each chamber. At the same time, a National Council of Reinstatement will be created, that will not only apply to this guerrilla organization, but to others that continue to operate in the country.

Third agreement, termination of the conflict and the construction of a stable and lasting peace. It is composed of three sub agreements that are the following:

- Agreement on a cessation of fire and hostilities, bilateral and definitive, and abdication of weapons between the national Government and the FARC-EP.
 - monitoring ceasefire processes and weapon delivery and verification of the compliance of these processes.
 - community areas such as places of cease-fire and resignation of arms
 - security zones
 - weapon abandonment
- Agreement on reintegration of the FARC to civilian life.
 - Political reincorporation
 - Economic and social reincorporation
- Agreement on security guarantees and fight against criminal organizations responsible for homicides and massacres or that attempt against human rights defenders, social and political movements, including the organizations of the paramilitary groups and their support networks, and the persecution of the criminal behaviors that threaten the implementation of the agreements and the construction of peace.

Despite the fact that a deal was reached with the majority of the FARC, the agreement does not represent a solution for the guerrillas. According to the IFJ (2018), there are between 1,200 and 1,400 armed men. According to the Foundation, among the Colombian departments, the majority of the actions attributed to the dissidences are:

Guaviare (23%), Nariño (18%), Cauca (16%), Meta (14%) and Caqueta (11%); in Ecuador this figure reaches 5%. On figure 11, are the actions attributed to the FARC dissidence, since the signing of the agreement.

Figure 11. Confirmed dissidences of the FARC by region of influence and attributed actions

Confirmed structures	Influence region/ Operation	Attributed actions
Front 1	Meta, Guaviare, Vaupés, Vichada, Caquetá	Ambushes, threats, illegal checkpoints, forced recruitment, kidnappings, explosive device activation, extortion, antipersonnel mines installation (APM), homicides, deforestation, fabrication, drug trafficking, electrical infrastructure sabotage.
Front 7	Sur de Meta, Caquetá	Threats, forced recruitment, kidnappings, harassment, vehicle burning, extortions, explosive device activation, forced displacement, machinery burning, fabrication, illegal checkpoints, drug trafficking, harassment.
Front 10	Arauca	Caravan attack to the Protection Unit where members of the FARC were found in Arauquita. Homicide attempt of ex-combatant Henry Ernesto Tobar Arenas, in the ETCR of the Philippines, Arauquita
Front 14 and 15	Caquetá	Illegal checkpoints, clashes.
Front 16	Vichada, Casanare, Arauca	No actions attributes to this structure have been reported beyond the alleged movements towards the border between Arauca and Casanare.
Front 36	Antioquia	Clashes with the AGC.
Front 40	Meta	Forced recruitment, extortions, combats, APM installation, fabrication and drug trafficking.
Front 48	Putumayo	APM installation, fabrication and drug trafficking.
Front 62	Meta	Forced recruitment, fabrication and drug trafficking.
Acacio Medina Front	Guainia, Vichada (Venezuela's border)	Fabrication and drug trafficking.
Oliver Sinisterra Front	Nariño and Ecuador	Threats, clashes, extortions, kidnapping, infrastructure attack, traffic and carrying weapons, fabrication and cocaine trafficking.
Peasant resistance	Nariño	Homicides, forced recruitment and displacement.

Miller Perdomo Column	Cauca, Valle del Cauca	Ambushes, clashes, fabrication and drug trafficking.
Jacobo Arenas Column	Cauca, Valle del Cauca	Bracelet exchange, clashes, fabrication and drug trafficking.
Front 30	Valle del Cauca	Harassment and robbery.
Peasant resistance	Nariño	Homicides, forced recruitment and displacement.
People of the order or united guerrillas of the Pacific	Nariño and Valle del Cauca	Kidnappings, clashes, fabrication and drug trafficking.
Front 6	Cauca	Clashes, bracelet exchange, sniper attack, vehicle robbery, threats, fabrication and drug trafficking and vehicle burning.

Source: IFJ (2018)

As can be seen, the dissident groups have been the authors of kidnappings, forced recruitment, threats, extortion, homicides, among other violent actions.

As stated previously, one of the bases for a solid peace process is the intervention of all the actors involved in the conflict. However, the Peace Agreement so far is useless in satisfying the interests of the now dissenters. The IFJ (2018) proposes that the reasons for abstention from the agreement, are divided. On the one hand, there were "internal disagreements with what was negotiated; the fear of the effects that the agreed justice frameworks could have, and the lack of security guarantees". On the other hand, the interests of drug trafficking and illegal mining prevail.

Fourth agreement, solution to the problem of illicit drugs, framed in three components:

- Substitution of crops for illicit use.
- Programs for the prevention of consumption and public health.
- Solution to the phenomenon of the production and commercialization of narcotics.

This agreement puts an end to the conflict of the cultivation of drugs in a framework that is far from that reality, promoting the voluntary substitution of illicit crops and the transformation of the affected wastelands, giving a change in the method of the problem towards a public health approach.

Fifth agreement, victims of the conflict, based on four principles:

- Truth.
 - Commission for clarification of the truth, coexistence and non-repetition.
 - Special unit for the search of people considered missing.
- Justice.

- Special jurisdiction for peace.
- Repair
- Non repetition

The Government and the FARC, pledged to contribute to the clarification of the truth and to recognize their responsibilities. According to Galtung, quoted by Calderón (2009), violence generates trauma and a way to overcome trauma, both the victim and the author, is precisely to enable the construction or reconstruction of relationships (p.76). This situation occurs with this agreement, when both sides decide to leave their limits of the conflict and placing their goals in a repair which is a stance more in line with the feelings of peace and abandonment of weapons.

Sixth agreement, implementation, verification and endorsement, divided into six main parts:

- Implementation and verification mechanisms.
- Ethnic chapter
- International component of verification of the CSVR (Commission for implementation, follow-up and verification of the final peace agreement and resolution of differences).
- International accompaniment component
- Dissemination and communication tools
- Agreement on endorsement

As has been mentioned, the agreement is another step in the peace process. The construction of a society that can live outside the internal conflict, is developing day by day. Part of this construction are the differences that arise in various aspects between the parts of the agreement. Therefore, is crucial, as indicated by Darby (2001), that there is a long-term commitment, in which the differences that arise are referred to as a means to the feedback and the rethinking of policies, always for the sake of the construction of a fairer society.

2.5 Reactions of the different entities of the conflict

As analyzed by the interviewee Amparo (2018), "the Peace Agreement is an arrangement that allowed to close a conflict of more than 50 years, in which both the insurgency and the State committed not to use weapons for the exercise of politics. Among the most important could be pointed out the attempt to eliminate poverty in the rural sector in this country, the development of a policy in which one can give their opinion without needing to be killed, as well as handling the most expensive anti-narcotics policy

to face the needs of the country and not so much in the face of the policy of the United States. Of course there are gaps in the agreement as there is no perfect agreement; much better to have an imperfect agreement. The agreement allows the country to move towards reducing the breaches between the urban and the rural sectors, and towards a space of greater openness in political participation and presence of the state in the territories".

The new Presidency of Iván Duque, opened up new questions about the continuation of the process. On this regard, the interviewee Amparo (2018), commented the following: "the new government will face a series of difficulties, the Constitutional Court in one of its judgments considered that the agreement would have to be fulfilled during 3 president periods. There is an agreement also signed with the international community, on that side will surely be pressure, but then, in the worst case the reforms will be will be paused on the financing side, without that necessarily being abolished".

In the same line, the interviewee (2018) Salazar said: "it is very difficult to eliminate the confrontations historically experienced by populations of Colombia. The signing of peace does not guarantee, per se, the termination of the conflict and much less of its remnants of violence. Therefore, even it will take an important period of time to have positive results, but specially, a huge effort to restore the conditions of security and respect for human rights".

Despite the Peace Process, the armed conflict is still on in some areas of the country, where other groups and paramilitaries are fighting over the territory that were abandoned by the FARC, in addition to the problem of the illegal crops spreading and some groups dispute them. This situation continues to affect the human rights of the civilian population, resulting in new murders, kidnappings, displacement of the population and situations of insecurity and threats. A report by Salil Shetty on Human Rights in Colombia (2017), reveals that by the end of 2017 there are still many indigenous communities where 60% of its members continue to be victims of the armed conflict. Although civilian deaths have decreased, the reality is that the conflict has not ceased. "In departments as Chocó, the State's presence is weak and entire communities have been left at the mercy of other guerrilla groups and paramilitaries" (Shetty, 2017). In addition, the report denounces the persistence of gender-based violence, despite the that many women and girls fear to speak publicly about the abuses. In short, no once verifiable, if the armed groups are still active and confronted.

2.6 Conclusions to the second chapter.

The peace agreement, began in the year 2012 in Oslo with the development of a prior

agenda that will determine subsequent negotiation, as suggested by the Darby model (2001). The negotiations began in Havana in 2013 and there were succeeding agreements during the following years, until in 2015 the program was completed and the President met with the Chief of the FARC, sealing with a handshake. They, subsequently needed to be ratified in 2016 by the Chamber and by a referendum. The plebiscite had a negative result and forced the Presidency to open negotiations with the opposition, which culminated with the signing of the agreement in Bogota, in November 2016.

The agreement was composed of 6 points: towards a new Colombian field; political participation of the FARC; termination of the conflict and the construction of a stable and lasting peace; solution to the problem of illicit drugs; victims of the conflict; and, implementation, verification and endorsement.

This agreement represents an opportunity for the parties in conflict, where weapons will no longer be the means to impose the will in the future. It is an opportunity for the whole society to build a shared future project among all citizens.

CHAPTER III

MIGRATORY CONSEQUENCES OF THE COLOMBIAN PEACE AGREEMENT IN ECUADOR

The escalation of the armed struggle in Colombia together with the expansion of the dangerous areas, has caused human displacement in search of safer areas, trying to escape violence, lack of economic resources and insecurity at all levels. Constant search, although fruitless, of a state of permanent peace, finally led to the peace agreement which began in 2012 and culminated in 2016 with the peace agreement. The conflict, then, had an increased activity until the start of the talks in 2012, when it began to ease the military pressure and diminished the immigration drama of the population, until the final signing of the agreement in 2016. Since then, refugee applications have decreased, but even so, the flow has continued. This displacement has occurred internally but also externally, making Ecuador, a place often chosen for its proximity to Colombia and the social stability that it has. The Colombian immigration in Ecuadorian territory has become a political and social phenomenon. The climax of refugee applications was during the years 2008 to 2010, as indicated in the research of Moreano (2014) which coinciding in a war effort of the Colombian Government during the Presidency of Álvaro Uribe. In the following years there was a decline in applications, but the number continued to be significant. As points out Hernán (2014), until December of 2010, 98% of 53.342 refugees registered in Ecuadorian territory were Colombian, although it is estimated that the number of refugees in Ecuador actually rises to about 135,000 people. Colombian migration in Ecuador has produced consequences of varied nature. On the one hand, Colombian citizens have had to adapt to the new environment that welcomes them, and on the other hand, the native population has been disrupted by the important flow that the border had between 2008 and 2010.

3.1. The legislation on refugees

After the second world war, awareness was raised for the regulation of the refugee issue that had caused so many problems during that. The Universal Declaration of Human Rights of 1948 (Resolution 217 A III, on December 10, 1948), proclaimed for the first time in the international field, the right of any person to seek and enjoy asylum, a proclamation that was made in a resolution of the General Assembly and not in an international treaty.

The dramatism of the wars, with the displacement of populations and their critical situation, led the General Assembly to establish an Office of the United Nations High Commissioner for Refugees (UNHCR), for an initial period of three years, which would

lead to the Diplomatic Conference that later elaborated the Geneva Convention (1951) relative to the Statute of Refugees, of July 28, 1951.

The Geneva Convention of 1951 and the Protocol of New York of 1967 are the basic international instruments on the protection of refugees. Its ratification, as is the case of Ecuador, does not mean that the State in question has to provide the right of asylum, but it does guarantee minimum rights to refugees and prohibits the expulsion or return under the principle of 'non-refoulement' of Refugees to the country of origin of the persecution. Non-refoulement, as Gil (2006) explains, is based on the norm that prevents the return of a person to a territory where their life or freedom are in danger. The 1967 Protocol does not substantially modify the 1951 Convention, but it did mean the elimination of certain temporary and geographical restrictions contained in it.

In relation to the situation of refugees, UNHCR develops its work in the reception and care for people, and on three basic lines:

- Integration in the country of asylum. Once the request is made, the institution collaborates with the person to reconstruct his life and that of his family in a process of socio-cultural integration.
- Voluntary repatriation. Depending on the situation of the country from which they have fled, the institution facilitates the voluntary repatriation for people to return to their place of origin.
- Resettlement in a third country. The institution collaborates in resettling refugees in another country.

A refugee is a person who is outside their country of habitual residence and who cannot or does not want to return because they fear for their physical integrity, either because they have well-founded fears of being persecuted, or because they want to avoid the consequences of an armed conflict or a situation of permanent violence, the violation of human rights or the effects of a natural or man-made disaster. A person not recognized as a refugee according to international treaties but who is unable or not willing to return to his country of origin for valid reasons, is a 'de facto' refugee. (Rubio P., 2018).

Refugee status can be found in three categories:

- refugee in transit. Refugee temporarily admitted in the territory of a State under the condition that he will resettle in another State.
- refugee in orbit. Refugee who has to move from one country to another in search of asylum because he does not find any willing to grant it.

- on-site refugee. Migrant who acquires the status of refugee in the country of destination due to circumstances that occurred in his country of origin after he left, which would jeopardize his safety if he returned; for example, an armed conflict or a coup d' état (Rubio P., 2018).

The Constitution of Ecuador of 2008, recognizes the rights of foreigners who are within its territory, thus, in article 9 determines, "foreign persons who are in the Ecuadorian territory shall have the same rights and duties as the Ecuadorians, in accordance with the Constitution" (Constituents Assembly, 2008). Therefore, all refugees are protected by this same article.

Likewise, article 11 indicates that all people are equal and enjoy the same rights, duties and opportunities, and that they may not be discriminated against because the condition of emigrants. In a similar context, article 40, recognizes the right to migrate and that no one shall be considered as illegal because of their migratory status. Article 41 recognizes the rights of asylum and refuge, in accordance with international human rights instruments. Article 66, numeral 14, second indent, recognizes people the right to travel freely through the territory, choose their residence and to enter and leave the country, guaranteeing, in addition, the non-return of people to countries where their lives are in danger or they are at risk or discriminated against.

As noted, the Constitution includes the rights of migrants and refugees, but became necessary the composition of a comprehensive law of human mobility that had as axes the supremacy of the individual as subject of rights, in accordance with the Constitution and the 'Good Living'. To this end, law of human mobility (National Assembly, 2017) was created. In the aforementioned law, in its article 2 are referred to the principles of this Act provides: universal citizenship; free human mobility; prohibition of criminalization; protection of Ecuadorians abroad; equality backs in the law non-discrimination; person in human mobility; best interests of the boy, girl and adolescent; no-return; and, regional integration.

3.2. The status of refugee in Ecuador

In order to preserve the rights of the people, security and good living, the Ecuadorian Constitution (2008), through its article 392, requires the State to ensure the rights of human mobility. The recent Organic Law of Human Mobility (2017) has an impact on the entry, transit, permanence, departure and return aspects of people, in addition to regulating parameters to obtain temporary or permanent immigration visas and requirements for the naturalization. But in an important way, it regulates the mechanisms

for the application of international protection of the State and norms the immigration categories, establishing equal conditions in work, health and political participation.

On this aspect, and as it concerns Burbano (2012), Ecuador is the country with the largest number of refugees in South America. The country has actively participated in the adoption of the Declaration and Plan of action of Brazil, signed within the framework of the celebration of the 30th anniversary of the Cartagena Declaration on Refugees. Also, in the New York Declaration on refugees and migrants from 2016, where focused on recommendations on vulnerable people, such as women and children. All these signed agreements have made the guidelines of the new law, as indicated in the National Plan of Human Mobility (Ministry of Foreign Affairs and human mobility, 2018), where Ecuador is currently a country of origin, transit and destination, return and shelter of people. It is also the first country of refugees in Latin America (p. 21).

People wishing to have a refugee status, must apply for a formal request for international protection addressed to the Government of Ecuador, and through the General Directorate of refugees (DGR) that depends on the Ministry of Foreign Affairs of the Ecuador (Ministry of Foreign Affairs, Commerce and integration, 2008).

The pronouncement of recognition of an applicant to a refugee is estimated by the Government of Ecuador through the 'Commission to determine the status of refugee in Ecuador'. This body of the Government is the delegated Committee to perform the necessary estimates and settle the approval or refusal of the refugee application. This body is made up of two representatives of the Ministry of Foreign Affairs and a representative of the Ministry of Government, as well as the representatives of the United Nations High Commissioner for Refugees, who also participate in the commissions, but only as observers, with a voice, but without vote.

Once the application is filed and, in the case of being recognized by the DGR, people can have documentation for identification and mobility throughout the country, specified in a card with 12-IV refugee visa. All applicants so far receiving the response of the DGR, are automatically protected by the State of Ecuador, and cannot be deported or returned to the territory where their lives, safety or freedom, are endangered, as expressed in the Article 66 of the Constitution.

To be recognized as a refugee, four requirements must be met, according to article 104 of the LOMH:

- Not having returned to the country of origin once the application has been submitted

- Have been identified by the human mobility authority
- Failure to meet an application filed in another country
- Depending on the information of the Ecuadorian State, not being considered a threat or risk to internal security. (National Assembly, 2017).

According to Ecuadorian and international legislation, the causes of exclusion to obtain refugee status, are listed:

- Those who have committed a crime against peace, a war crime or against humanity. (article 106 of the LOMH)
- Those who committed a serious common criminal offence in the country of origin before generating the refugee application
- Those who have been found guilty of acts contrary to the principles enunciated in the United Nations.
- Those that do not comply with the requirements of the legal definition of a refugee.

One of the humanitarian solutions that includes the United Nations High Commissioner for Refugees (UNHCR), is voluntary repatriation once the causes for which the person had to apply for refugee status have disappeared. This repatriation must be done in a dignified, safe and voluntary manner, and must be verified by the UNHCR regarding the lack of security risk and the freedom of the people.

3.3. Colombian migratory waves

The emigration of people is generally intermittent and slow flow for different ages and economic cycles that each country has. However, a main point of interest is the rapid growth of Colombian emigration. According to the Colombian Ministry of Foreign Affairs and human mobility (2018), more than 5,000,000 citizens of the country are outside the territory today.

According to Amparo (2018), "there is a universality of reasons why Colombians moved. There are people who migrated seeking political asylum. There are other people who migrated seeking better living conditions, because the investment here did not guarantee their safety."

As Guarnizo (2006) explains, the massive outbreak of emigrants occurs in the 1960s, coinciding with intensification and prolongation of the war. In addition to coinciding with the United States migration reform, where quotas were assigned for Colombian migration, and, therefore, the flow to that country was limited, affecting the choice of other destinations, such as that of Ecuador.

As indicated by Niño (1999), "the dispute over land control, the search for better living conditions and persecutions for ideological or political reasons have been factors of internal population displacement". Therefore, the causes that have affected the Colombian migration have mainly been the violence caused by armed groups which affected the population. Many towns were forced to move because they were in the middle of the war scenarios and political positions, which generated armed violence against the population.

As stated by Amparo (2018), who was interviewed for this work, "the border with Ecuador was also very diverse, with migration of professionals, migration in conditions of poverty such as it is on the border with Sucumbíos, with people who had to migrate in conditions of insecurity. From this perspective, migration is very diverse." Therefore, we must consider that the profile of immigrants is very wide and covers all social strata. It goes from indigenous groups, through the rural population, to the urban.

Outward migration rate since the beginning of the 21st century, according to Index Mundi (2015), has a constant and homogeneous behavior, but as of 2009, the rate almost tripled that of the previous years. This increase is due to the harshness of the armed conflict together with situations of poverty that came composed by the economic crisis that hit the economies of all countries since 2008.

Khoudour (2007) indicates that there are around 3.3 million Colombians outside the territory, which corresponds to about eight per cent of the total population of the country. Of this amount, more than half are women (51.4%), with an average age of twenty-five years. The Ecuadorian destination of these emigrants is around 2.4%. According to the Ecuadorian Chancellery of the Ministry of Foreign Affairs (statistics of the direction of refuge, 2018), around 200,000 Colombians reside in Ecuador, of which about 100,000 are with refugee status.

On immigration in the context of gender, the interviewee Amparo (2018), stated that "there are several violence that women lived in the context of the armed conflict. We are one of the most critical. In terms of numbers, there are about 6 million displaced, 52% of this figure are women, including young women and girls. Some moved to Ecuador because of the threats of sexual violence, disappearance of their sons or daughters, threats of murder or threats of forced recruitment of their daughters".

A study by the University of Granada, carried out by Moreano (2014), in 2010 there were 53,342 refugees, of which 98% were Colombian citizens.

Figure 10. Colombian refugees per year in Ecuador



Source: Moreano (2014)

As can be seen in Figure 10, the years of maximum income of refugees, occurred between 2008 and 2010, due to the military surge that occurred in those years, coinciding with the presidency of Alvaro Uribe. The dialogues of peace that occurred from 2011, produced a decrease in the flow of refugees. UNHCR estimates that about 1,500 people entered Ecuador every month along the northern border.

The Ecuadorian Foreign Ministry with the support of the Social Security Institute (IESS) and the Civil Registry, have monitored the location of Colombian refugees in Ecuador.

Figure 12. Location of Colombian refugees in Ecuador



Source: (Ministry of Foreign Affairs and Human Mobility, 2018)

As can be seen, the province of Pichincha is which has the largest group of refugees, 14.992; the province of Azuay has 2,217 refugees.

It can be distinguished a first migratory moment, with the armed conflicts that took place in Colombia from 1946 until 1958, with the period of violence, by the main trigger which was the assassination of Jorge Eliécer and by the Bogotazo. In this period, there was a great emigration, mainly to the United States, thanks to "Bracero program" that established that country to receive Colombian workers. Many citizens moved to Ecuador given their proximity and the ease of crossing the border at the time. Political tensions and acts of violence forced many Colombians to enter Ecuadorian territory in search of a calmed and relaxed place to work or carry out their commercial activities.

A second wave occurred between 1970 and 1980, with the increase in the price of oil. This period was characterized by an increase in all the economies dependent on hydrocarbons. Venezuela was the main recipient of Colombian migration, but at the same time, there was also a flow of workers in Ecuador, since the demand for labor had also grown with the oil boom. This migratory flow was stopped with the rise of the oil in the 80's.

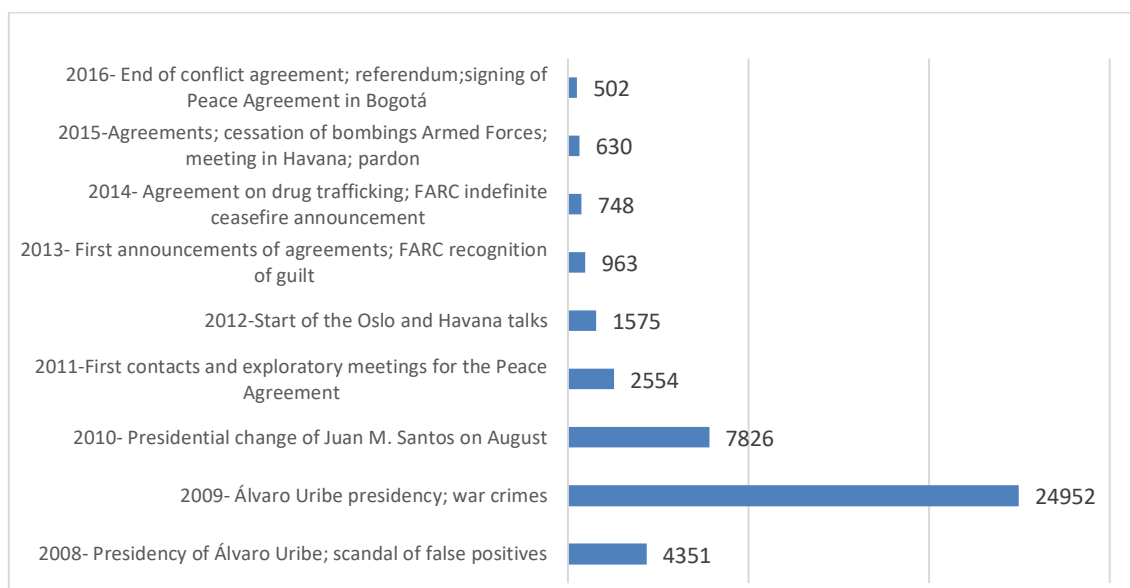
A third migratory moment occurred in the decade of the 90s, under the increase of armed violence linked also by the crisis that occurred. In this period the demands of refugees in the country of Colombian citizens, increased. The armed conflict causes the increase in requests from refugees for three main reasons:

- The open war between the different armed actors: guerrilla, armed forces, paramilitaries and drug traffickers, caused the population and especially the rural areas to flee conflict zones and to search in Ecuador (among other options), for a space of peace.
- Threats suffered by families by different actors that force many people to take the drastic decision to go into exile to escape their persecutors.
- Persons have indirectly suffered political violence through the economic crisis that war has degenerated: destruction of infrastructure, unemployment, abandonment of plantations, etc. (Benalcazar, 2004).

An indicator of the immigration of Colombian citizens are the rates of remittances that Colombia receives from its migrants. Results published by Illán (2011), showed that there were remittances in 2001 of \$ 2,021 billion while in 2010 amounted to \$4.023 billion, almost double. As explained Cadena y Cárdenas (2004), the increase in remittances is a reflection of increase of the migratory flow that occurred at the end of the 1990s and which continued to widen in the coming years.

It is important to chronologically relate the political and belligerent events that took place between 2008 and 2016, with the influx of Colombian refugees in Ecuador:

Table 7. Comparative chronological and flow of refugees



Source: Moreano (2014), El Comercio (2018) y UNHCR (2017)

Authors: Domenica Gonzalez and Natalia Paoletich

It can be seen in Table 7, that the number of refugees came to be constant, though with slight ascents, during all the years. Based on the harsh policies of Álvaro Uribe's Presidency in 2009, there is a great commotion in Colombia, causing the exit and requests of refugees in Ecuador. In mid-2010, there is a change in the Presidency, and an important flow continues, but with a tendency to moderation. With the beginning of the talks in 2012, there is a great relaxation of the increase of refugees. With the signing of the Peace Agreement in 2016, it is observed that the decline is already clear and significant. Although, refugees are still being sheltered today, due to the fact that the agreement was only with the FARC, and some factions of this guerrilla are still operational. Guerrillas who do not agree with the signed agreement, continue the armed struggle.

3.4 Migrant impact in Ecuador

3.4.1. Sociodemographic data

In the last twenty years, Ecuador has experienced changes in human movements. In the aftermath of the crisis of 1999 thousands of Ecuadorian citizens emigrated abroad, especially to the United States and Spain. However, in the last decade there has been an inverse trend, where large human contingents have migrated to the country, corresponding to Cuban, Colombian, Venezuelan and Haitian citizens. The horizon that these people pursue is to find better options in life than in their countries of origin. Another

important aspect is that of the return of Ecuadorian emigrants, which, because of the crisis supported in Europe, has been the main cause of their return to the country.

As explained by the Organization of the American States (2011), UNHCR estimated that in 2008 there had been close to 140,000, being citizens of Peru, the second most numerous group. Colombians came by because of armed conflict they have lived, and Peruvians for economic reasons due to the crisis in their country and the dollarization of the currency in the Ecuador.

According to data provided by Expansion (2017), immigrants in 2017 amounted to nearly four hundred thousand people, representing a 2.40% of the population of the country. In the offered data, the male ratio is higher than the female. The largest source of immigrants is the Colombian 61.70%, followed by Americans with 8.49% and Peruvians with 4.34%.

Figure 13. Immigrants by country

<< 2010		Inmigrantes en Ecuador según país de origen (2015)		2017 >>	
Países		Inmigrantes			
Colombia		194.733			
Estados Unidos		26.802			
Perú		13.705			
Chile		11.341			
Venezuela		8.901			
España		7.473			
Argentina		5.399			
Alemania		4.405			
Italia		3.845			
Cuba		2.994			
China		2.928			
Brasil		2.654			
Canadá		2.341			
Francia		2.264			
México		2.258			
Reino Unido		2.158			
Suiza		1.962			
Bolivia		1.528			

Source: Expansión (2017)

As seen in the table above, with data from 2015, how the main immigration countries belong to the region and that the greater group is the Colombian, with a big difference about the others.

The causes of immigration of each group are different. In Colombia is mainly due to the armed conflict that has endured to date; in the case of the Americans, Chileans and Peruvians that we see in the previous image, factors are very different from those of Colombia.

3.4.2. Economic impact

Often the debate on the phenomenon of immigration focuses on the balance of the economic consequences that this can cause in the country that hosts it. Both from governments or diverse public institutions, as well as from specific sectors of society, the valuation of economic repercussions is used, as an “objective” argument of prejudice for or against immigration. And, which are therefore used in a partial way when dealing with issues related to the same phenomenon, or when a specific immigration policy has to be designed or evaluated. (González Ruiz, 2001)

The massive incorporation of a contingent of immigrant population in a relatively short period of time, as it has been the Colombian since the beginning of the decade, resulted in an increase in the supply of labor in the host country. And it generates, from the standpoint of the economic theory, remarkable repercussions on its labor market. The immigration acts in the short term as a mechanism that produces a cheapening of the labor factor, given its abundance, making it more attractive for companies that use it intensively. The lowering of production costs of these companies improve their business opportunities, generating an increase of the demand factor which consequently increases production, and ultimately, the country's income. Therefore, the sudden addition of labor market demand generates two contradictory effects: the decrease in wages of the native population and the increase in the income of the country, requiring a quantification to define which is the prevailing effect at the time of estimating the gains derived from immigration. (Vicens, 2005).

Therefore, the entry of migrants is a beneficial factor for the Ecuadorian economy, as long as the labor market can absorb the growing labor demand. On the other hand, immigrants also activate the national economy with the creation of new businesses, mainly family businesses, which produce an equal effect as in the labor field. They stimulate, with the construction of the businesses, the demand for products and services. As well, in the startup, with competitive products, they stimulate the improvement in prices in the offer, that consequently activate the demand of products and services. In conclusion, immigrants trigger the economy since they are the creators of the different businesses established.

As explained by Franco (2018), the arrival of Colombian citizens, presents effects such as the increase of the labor force in Ecuador, which in turn, translates into an increase in unemployment. The pressure on social welfare is another element incorporated in this aspect. In addition, the factor of the loss of national income must be taken into account, due to the increase in the remittances. Therefore, as a positive element is the growth of

the labor force that influences in a renewed offer which is incorporated into the labor market. On the negative side, there is a greater demand for social welfare, with the consequent increase in public expenditure; the increase in unemployment rates; and the reduction of national income due to remittances that are sent to Colombia by these new workers and businessmen incorporated into the economy of the Ecuador. On remittances, Ortega (2010) indicates that one of the preferences of Colombians for Ecuador, is not only the proximity, but its dollarization, which facilitates the expansion of the amounts as it is a stronger currency.

Ortega (2010) indicates that despite the fact that refugee status grants rights such as equality in conditions of work, opening accounts, and subscription to a lease, it has been detected that in the right to work, the access to it, is more complicated than for the rest of the citizens. In the words of Valencia (2016), there is an aversion towards the refugee, there being banking impediments to opening accounts causing the impediment of consigning the labor remuneration.

The Census (INEC, 2011), advises that 23.44% of Colombians are workers in services and vendors, 23.15% are employed in basic jobs, 12.43% are engaged in crafts, 9.33% are employed in agriculture and animal cattle raising, 5.32% have qualified professional occupations, 4.78% have positions of management or direction in enterprises, 4.77% hold positions of accounting and administrative support, 4.13% are employed as technicians or professionals in mid-level, 0.02% are occupied as guards or similar. With these data, we see that the largest group of employed persons are those who are in the areas of sales and services and work in companies. There is only a small fraction of qualified occupation.

According to data provided by Benavides and Chavez (2009), about the Colombian immigrant population, the major concentration is in the province of Pichincha and Santo Domingo with a 47.1%, followed by Imbabura with 13.5%, Guayas with 12.5%, Sucumbíos with 8.3% and, Esmeraldas with a 6.9%. Consequently, from the economic point of view, the provinces have increased activity of the Colombian population and fall on the previous described consequences, are Pichincha and Santo Domingo.

3.4.3. Social impact

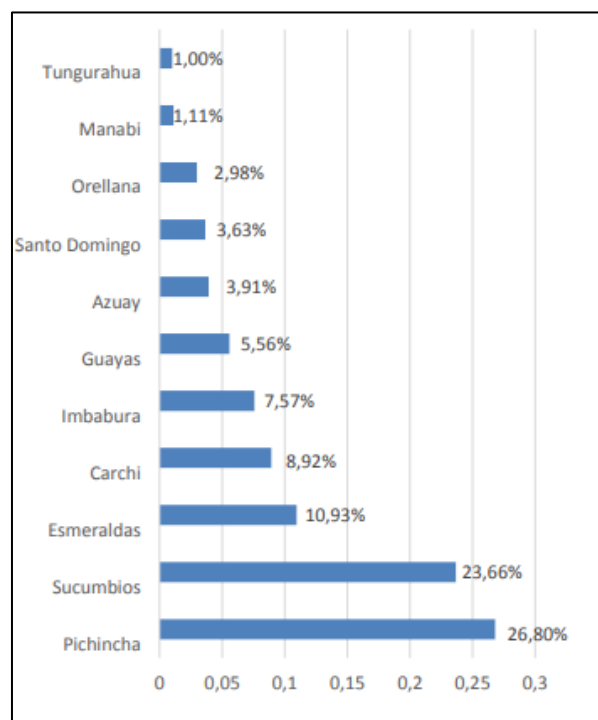
When talking about immigration, usually it also refers to integration, a concept that has several meanings, and is used with different meanings. On the one hand, in the common language, is considered integrated the group of foreign people that does not pose problems to the local population (connotation of invisibility), and on the other hand, the concept of integration is also used in the sense of formal equality of the immigrants and

their descendants in relation to the native population. As São João (São João, 2008) explains, "attitudes and prejudices are a socially shared guidance that occurs in intergroup relations that determine its intensity and direction" (p.6).

Lloor and Zurita (2013) highlight that of Colombian immigrants, 52.78% are women, where is evidenced the feminization of the refugees. In addition to this data, they indicate that there is a considerable group of immigrants outside the active age, these are, 15.27% of children under 15, and 6.66% are older adults. Therefore, nearly 22% of the refugees, are not working-age and therefore dependent on their families or on the institutions support. On this point, the National Directorate of migration (2017) highlights that 62.8% of entries into the country correspond to people who depend on the spouse or relatives.

In 2016, UNHCR established the percentages of Colombian refugees by province in Ecuador:

Table 8. Percentage of Colombian refugees by province



Source: UNHCR (2016)

With similar data although prior to the UNHCR, an investigation carried out by Montes (2005), clarifies that Colombian refugees are not only linked to neighboring provinces like Sucumbíos, Imbabura, Carchi and Esmeraldas, but it that has been extended to other areas of the interior of the country, as Quito, Guayaquil, Santo Domingo and

Cuenca. The study indicates, that the social characterization of refugees is dispersed throughout the national territory.

3.4.4. Cultural impact

Immigration should be seen as an opportunity to grow in many ways, and especially in the cultural aspect, given that there are interesting exchanges on customs, habits, and knowledge. The fear of the unknown in societies must be seen as the aversion of old times, where insecurity towards foreign people became normally a conflict. But today, it must be seen as a possibility for reciprocal knowledge that "facilitates acceptance and respect for differences and diversity" (Sayed Ahmad, 2013, p. 88).

The migratory process performs a transformation that includes internal and external relations of the person, due to the sudden and abrupt form to collapse their personal ties. As Mercado (2008) explains, identity must be respected from the "recognition of the other," so that this can interact from a social and public perspective.

Some data provided by the INEC (2011), highlighted that among Colombians immigrants the education level is 40.96% with up to primary schooling; 35.57% up to secondary; a 15.69% with higher education and postgraduate studies. Among those analyzed, a 7.25% did not respond or does not have any instruction. This data can be bulky since some people must have had to leave Colombia abruptly and without any certification that supports their studies. However, 0.53% of the investigated, attend a center of literacy in the country. These data are relatively similar to the Ecuadorian society, which means that the study levels are not a differentiating indicator of both populations. It can be interpreted, that the rate of illiteracy rate found may be due to immigrants from remote rural areas or refugees belonging to ethnic groups or indigenous tribes.

The migratory factor with regard to culture has a special impact when it comes to indigenous communities. According to Conejo (2014), "the defense of cultural identity is, ultimately, the defense of the freedom of being what one is". Cultural shock should be viewed as a confrontation between ethnic, local and personal concepts, as opposed to universal and currently global concepts. In the case of immigrants with very specific cultural features, such as indigenous communities, the contrast and articulation with the cultures that they find in the Ecuador, can be a reason for difficulty in adaptation and accommodation.

Therefore, Colombian migrants within the profile of any displaced person, is a process of mutual adaptation between the immigrants and the Ecuadorian population that act as a host. To alleviate the possible frictions generated, social intervention strategies must

be initiated, targeted to optimize the conditions in which this adaptation occurs. As São João (2008) explains, intervention strategies should be aimed at improving inter-group relations.

3.4.5 Xenophobia

The concept of xenophobia refers to the rejection or hatred towards the person of foreign origin. This feeling is not necessarily directed towards people of other nationality, but in general towards everything that comes from the outside or is strange to the natives of a place. Xenophobic sentiments are not usually addressed to all foreigners or outsiders, but they are often linked to the socio-economic situation of persons or groups that become objects to these feelings. In any case, as defined (Malgesini & Gimenez, 2000) xenophobia is the rejection generated by one of the common characteristics of the stigmatized groups: external provenance, having been born abroad, etc.

The strong and growing migration of Colombians in Ecuador, according to Larrea (2004), may end up offering a process of degradation of the image of Colombians in the country. Stigmatization such as relating to the Colombian populations with drug trafficking or criminal acts, can occur. Although there is a palpable xenophobia, there is fear that it can become critical.

Rovayo (2007), representative of the Jesuit Refugee and Migrant Service, said that the exclusion of Colombians is not only directed towards their fundamental needs, such as health, nutrition or education, but it extends to a lack of exercise in human rights. According to the representative, numerous complaints frequently extend, in the range of abuse of authority, discrimination, such as the denial of rental to the Colombian-born, non-schooling of their children to care for the image of the campus, including many others. All these features, are then, due to xenophobic stigmatization of the population.

In an interview of El Tiempo newspaper with González, director of the office for refugees of the Colombian Foreign Ministry, he stated that "the feeling towards the Colombian people has changed in recent years and the association of this nationality with crime or prostitution generates a reaction of rejection"(González, 2007).

For its part, the Committee for the Protection of the Rights of All Migrant Workers and their Families of the UN (2017), denounces the high prejudices that exist in the country against immigrants, particularly with Colombians, which has been increasing in the last years. "A negative image of foreigners, mainly Colombians, continues to predominate". The report recommends Ecuador to take legal measures to ban incarceration for immigration reasons and observe certain arbitrary arrests to Colombians, which have

occurred in recent years. On the educational level, it emphasizes the right of all immigrant children to access the education system, given that discrimination has been found by school authorities, teachers and parents towards people of Colombian origin.

These data are of vital importance to highlight the xenophobic biases that have been implanted in society. The organizations that serve immigrants, as previously seen, have reported marginalization by the fact of being Colombian, denying them the right to be able to lease, or to school their children. These has also been reported by the body of Protection of the Rights of All Migrant Workers and their Family of the United Nations.

According to Efe (2018), UNHCR has spoken about the need to avoid the suspicion that may be growing, when in an area it is repopulated with immigrants, remedying the xenophobia which may occur. This suspicion can begin not only in society itself, but also in institutions. On this regard, it likewise points out that the DGR officials have discretion to qualify an applicant for refugee as "threat or security of the country", in a discretionary way, which could, in a homophobic, racist or prejudiced position, unfairly deny a favorable regularization to the immigrant.

On the other hand, as indicated in a report of UNHCR (2016), this entity, together with the Ecuadorian State agencies, carry out programs in Ecuador to promote solidarity and peaceful coexistence, mitigate xenophobic outbreaks, and to achieve a harmonious coexistence between the two communities.

3.5 Conclusions to the third chapter

The new migration scenarios in Ecuador were identified as a result of the implementation of the Final peace agreement. The contingent of refugees rises to over a hundred thousand people, of which 98% are Colombian with a higher proportion of women than men. There was a considerable increase of demands of refugee status based on the policies of the Presidency of Alvaro Uribe. There was a beginning of descent starting from the Presidency of Juan M. Santos and with the beginning of negotiations for the agreement of Peace. The flow of refugees continues, but in a more moderate way, thanks to the signing of the agreement in 2016. In the repercussions produced by immigration, impacts were found in economic-labor terms, since refugees are professionally involved in the services and sales sector. On the social impact, there is a majority of women and a significant portion of children and adults, most of it is focused in the province of Pichincha. On the cultural impact, most of the refugees have only up to primary schooling. In terms of xenophobia, numerous complaints have been found by organizations that take care for the refugees and of UNHCR.

CONCLUSIONS

Emotional and psychological damage of the affected population as a result of the Colombian armed conflict, from post-traumatic stress to type II bipolar affective disorders, and the emotional burden of gender violations, were identified. As for moral damages, a devaluation of ideals and beliefs was proven, as well as the breakdown of the most intimate values sustain the collective identity. In terms of the political damage, the polarization of politics in society stands out, moving to the extremes of right and left. On the socio-cultural damage, the loss of relationship between urban and rural sectors, stands out, and the problem of schooling is highlighted, as well as a forced recruitment of minors to reinforce the war. All of them where causes that led to the abandonment of the territory and refuge in the interior of Ecuador.

It has been proven that all the presidencies tried in a way or another to reach a satisfactory and lasting peace agreement, but it was not achieved because a proposal for peace based in the main elements and claimed by the insurgency, was not involved. Elements such as rural reforms were not involved. An agreement without many ambitions, or amnesties in exchange for the cessation of armed, was reached, but without getting to the bottom of the claims that were of importance such as the political reform, the agrarian reform with the distribution of land, etc. The peace agreement, arrived with the Presidency of Santos and was structured with a full negotiating agenda that encompassed the interests of all parties. For four years the negotiations were carried out, which resulted mainly in six agreements: Agreement towards comprehensive rural reform, Agreement on political participation, Agreement of the termination of the conflict and construction of a stable and lasting peace, Agreement on illicit drugs and, Agreement, implementation, verification and endorsement.

It has been proven in the migratory scenario of the Colombian refugees in Ecuador relevant data that the number of refugees amounts go to more than a hundred thousand people, women make up over 52% of the quota. It was also proven that the maximum flow of refugee applications were produced in 2009 coinciding with the Presidency of Alvaro Uribe. Through the Presidency of Santos in 2010 a propensity to decrease the number of applications, was produced. With the signing of the Peace Agreement in 2016, there was important reduced flow of refugee applications. Even in 2018 applications continue to be presented due to the persistence of some FARC dissident groups. Regarding the socio-demographic data, it has been found that there is a distribution of refugees in all provinces, although it stands out the province of Pichincha with 26.8%, home to more refugees. About the economic-labor impact, 23.44% of the refugees work

in the service sector and in sales, and 23.15% in elementary jobs. Regarding the social impact, among the refugees there 15.27% under age 15, and 6.66% of adults, all of them out of the labor market and in dependence of their families or institutions. As regards the cultural impact, 40.96% have up to primary school level, up 35.57% up to secondary and 15.69% have higher education and postgraduate studies. Concerning the xenophobic sentiment, there are numerous complaints regarding access to the schooling for minors, access to rent and abuses of authority, and an increase of the negative image towards the Colombians who are stigmatized as criminals and violent.

RECOMMENDATIONS

Create a public awareness campaign with a view to eradicating racist and xenophobic behaviors. Develop advertising and leaflets explaining the humanitarian reasons behind the acceptance policies of refugees and the need for collaboration for a stable and harmonious accommodation.

In order to have a regulated and controlled entry of immigration due to the conflict, it is recommended to develop a binational border security agenda between the two countries, Ecuador and Colombia.

In anticipation of a lasting peace and with certain active dissident groups, it is recommended to build prospective scenarios for agricultural development in areas close to the border to facilitate the return of refugees and as an aid to economic development.

Structure a network of cooperation on information for the elimination of the illegal plantations and drug trafficking. The network should aim to find and gather cooperation formulas on the management of the struggle to eliminate illegal crops and drug trafficking. In this way, the actions of the government will be reinforced and the cooperation system will be strengthened by encouraging collaboration with the maximum use of the strategies that are carried out and which will guarantee the fight against these elements, besides promoting the co-responsibility of the people turning them into managers of the social interests of the community.

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