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FEATURED Q&A

Why Is Colombia's ELN Choosing Attacks Over Talks?



Colombia's ELN rebels group this month resumed attacks after its cease-fire with Colombia's government expired. // File Photo: ELN.

Q U.N. Secretary General António Guterres on Jan. 14 called on Colombia's ELN rebel group to cease all attacks in the country and resume peace talks with the government. Guterres' call came days after the rebel group carried out three bombings on the Caño Limón oil pipeline, a grenade attack on a naval base and an attack on one of state oil company Ecopetrol's facilities after a cease-fire between the two sides expired. Why has the ELN resumed acts of violence instead of continuing peace talks? What will it take to get both sides back to the negotiating table? What are the biggest differences between the peace talks with the ELN and with the FARC rebel group, with which the government signed a peace deal in 2016?

A Maria Velez de Berliner, president of Latin Intelligence Corporation: "Colombia's energy infrastructure, particularly Ecopetrol's, has been the focus of attacks by the ELN since the rebel group's inception in the mid-1960s. Add extortion, kidnapping and, recently, narco-trafficking and narco-mining, and the ELN's objective has been, and remains, to harm Colombia's economy. The ELN has used past attempts at peace negotiations as opportunities for its independent fronts to reorganize, rearm, cement new alliances with sundry criminal groups and expand, both in-country and abroad. The ELN knows the Santos administration is ending, and that Colombia's Congress will not fast-track a FARC-similar agreement, particularly in 2018, an election year. Regarding peace talks, the differences between the FARC and the ELN are: 1) Unlike the FARC's central command, which spent five years in

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TODAY'S NEWS

POLITICAL

Venezuela Bans Opposition Coalition From Election

Venezuela's Supreme Court banned the country's main opposition coalition from fielding candidates in the country's presidential election, which the government said would occur before the end of April.

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Tesla in Talks With Chile's SQM on Lithium Investments

The U.S.-based electric vehicle maker needs the soft metal for production of batteries.

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Hernández Sworn in for Second Term in Honduras

Honduran President Juan Orlando Hernández was inaugurated for his second term on Saturday.

He called for unity following the country's disputed November election.

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Hernández // File Photo: Honduran Government.

POLITICAL NEWS

Opposition Coalition Banned From Venezuela Election

Venezuela's Supreme Court, which is allied with the government of President Nicolás Maduro, last week banned the country's main opposition coalition from the upcoming presidential election, NPR reported Friday. The ruling is fueling accusations that the Maduro government is rigging the election even before a date is set for it. Maduro's government announced last week that this year's presidential election would be held before the end of April. Maduro and the "Constituent Assembly" that his government created both have said that parties that did not participate in last month's local elections, which opposition parties boycotted, would not be able to field candidates for president this year. The government's decision to hold elections before the end of April has caught the opposition at a time when it is fragmented and when many opposition leaders are either imprisoned, on house arrest, banned from politics or in self-imposed exile. The timing of the election has also drawn international condemnation, including from the United States, which has said it will not recognize the results, saying they will only undermine the constitutional order of the South American country. European leaders have also condemned Venezuela's government. On Friday, French President Emmanuel Macron called for additional European Union sanctions on Maduro's government. "Sadly, things are going in the wrong direction," Macron told reporters in Paris alongside visiting Argentine President Mauricio Macri, Reuters reported. "We'll have to see at the European level whether we want new sanctions. I am in favor of having them ... I want us to go further, given the recent decisions and the shift to authoritarianism." Macron's comments came just days after the 28-nation European Union agreed on sanctions including a travel ban and asset freezes on seven top Venezuelan officials. U.S., E.U. and other foreign leaders have accused Maduro's

government of trampling human rights and violating democracy in Venezuela. Maduro's critics also say he has turned Venezuela into a dictatorship and has manipulated the country's electoral system to keep himself in power. Maduro's government says it is fighting a right-wing conspiracy led by the United States in an effort to end socialism in Latin America, cripple Venezuela's economy and seize its oil wealth. Venezuela's opposition said Saturday that it would attend a round of talks with representatives of Maduro's government, scheduled for today in the Dominican Republic, Reuters reported. "We believe that this meeting represents a definitive opportunity for the government to review its recent decisions, and thus prevent the country from entering unmanageable chaos," the opposition coalition said in a statement. The opposition said it would protest Maduro's "totalitarian vision" and would also seek electoral guarantees including the reversal of political disqualifications.

Hernández Sworn in for Second Term as Honduras' President

Honduran President Juan Orlando Hernández was sworn in for his second term on Saturday, amid ongoing protests over allegations of fraud in the election, the Associated Press reported. Soldiers and riot police fired tear gas at thousands of demonstrators in order to block them from marching to the National Stadium in protest. Masked protesters shot rocks from slingshots and kicked tear gas canisters back at security forces, while barricades burned and gas spread through the streets. "This is how the dictator oppresses his people," said opposition candidate Salvador Nasralla, who maintains that he won the election, and that the vote was stolen from him through irregularities in the vote counting. "We remain in the struggle to rescue the country from dictatorship and without recognizing Hernández as president," he added. During his inauguration ceremony, Hernández called for unity, Reuters reported. "If a house is divided against itself, it cannot stand," he said, quoting the New Testament.

NEWS BRIEFS

At Least 14 Killed in Brazil Nightclub Shooting

At least 14 people were killed in a shooting early Saturday morning at a nightclub in the northeastern Brazilian city of Fortaleza, the Voice of America reported. Ceará state officials said three cars full of gunmen arrived at the Forro do Gago nightclub and opened fire for 30 minutes. Many fled the club, but at least 14 were killed during the shooting, officials said. At least a half-dozen more were injured. No arrests have been made. Police say the shooting may have been motivated by a rivalry between drug gangs.

Former Guatemalan Defense Minister Arrested on Corruption Charges

Police have arrested former Guatemalan Defense Minister Williams Mansilla on abuse of authority and illicit enrichment charges, the Associated Press reported Friday. Mansilla is accused of inappropriately approving bonuses for himself and other officials, including President Jimmy Morales. The country's Supreme Court ruled that Morales had already been sanctioned by being forced to return \$61,000.

Costa Rica Adopts Law to Boost Electric Vehicles

Costa Rica on Thursday implemented a new electric transport incentive law that aims to eliminate hydrocarbon-powered vehicles from the country in the long term, Agence France-Presse reported. The law will eliminate sales, customs and circulation taxes for electric vehicles and allows people driving electric vehicles to use municipal parking facilities for free. "This law will make it possible to transform Costa Rica's vehicle fleet in just a few years, from cars, cargo vehicles, trains and buses, replacing them with 100 percent electric vehicles," said President Guillermo Solís during the signing of the law.

ECONOMIC NEWS

Mexico, Canada Reject U.S. Arbitration Proposal in NAFTA Talks

Negotiators from Mexico and Canada have rejected a proposal from U.S. President Donald Trump's administration to restructure a corporate arbitration system that is a key component of the North American Free Trade Agreement, The Wall Street Journal reported Sunday. The system, known as investor-state dispute settlement, or ISDS, hears complaints from corporations over international investments that the companies say were unfairly treated by another NAFTA government. The system allows corporations to avoid long court battles and help prevent potential discrimination abroad. The United States had proposed that countries could opt out of the system, with a plan for the United States to opt out of ISDS, which the Trump administration has said infringes on U.S. sovereignty by allowing international corporations to go around the U.S. court system. Because NAFTA negotiators were unable to resolve larger sticking-point issues such as ISDS, talks to rework the agreement may extend into next year, The Washington Post reported Sunday, citing industry executives and people close to the negotiations. Trump had first called for a renegotiation of NAFTA during his campaign, with the goal of either scrapping the agreement altogether or reaching a better deal, saying the pact is unfair to the United States. Negotiators failed to meet their goal of completing the talks by the end of last year, and pushed the deadline back to March 31. Mexico is pushing to complete the talks before July 1, the date of the country's presidential election. The trade ministers from the three NAFTA countries are scheduled to meet today to discuss the progress of the negotiations, and the next round of negotiations are tentatively planned for February in Mexico City. [Editor's note: See [Q&A](#) on the NAFTA talks in the Oct. 25 issue of the Advisor.]

BUSINESS NEWS

Tesla in Talks With Chile's SQM on Lithium Investments

Electric car manufacturer Tesla is in talks with Chile-based lithium producer SQM about

investing in supplies of the material, which is used to make electric batteries, the Financial Times reported Sunday. U.S.-based Tesla could agree to construct a processing plant in Chile to produce lithium, the newspaper reported, citing Eduardo Bitran, the executive vice president of Chilean development agency Corfo. "With an increasing supply of lithium, Chile is key for any company that wants to become global in electro-mobility," Bitran told the newspaper.

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Cuba negotiating for, and getting, what was most favorable to it, the ELN does not have a central leadership command that claims to speak for the whole organization. Instead, each group's commander and his rebels crisscross Colombia and cross borders, competing with other ELN fronts and associated criminal groups for resources, territory and influence. 2) As the FARC agreement continues to unravel, the FARC's demobi-

“The ELN's objective has been, and remains, to harm Colombia's economy...”

— Maria Velez de Berliner

lized dissidents will join with the growing fronts of the ELN or form their own criminal gangs, to continue their fight against the government. If, by some miracle, there is an agreement with the ELN at some point, some demobilized ELN rebels will remain in their criminal activities, as some FARC members are doing. 3) A new president, particularly if he or she is on the right wing of the political spectrum, will pursue the current military offensive against different fronts of the ELN. Unlike Santos, he or she will not permit the ELN to create its own political party. And 4), as the government's former chief negotiator,

Juan Camilo Restrepo, said: 'One cannot negotiate with the ELN, because no one knows with whom to negotiate, what one is negotiating for, or who speaks for whom.'

A Daniel Erikson, managing director at Blue Star Strategies: "The ELN attacks come as Colombia's peace process is entering another fragile moment, with the country heading toward a polarizing set of elections that will begin with legislative elections on March 11, followed by the first round of presidential elections on May 27 and a likely presidential runoff on June 17. Moreover, this time, the Colombian peace process is not merely an issue to be discussed and debated, but rather it may have a tangible effect on the outcome, with the FARC rebel group (newly rebranded from the Revolutionary Armed Forces of Colombia to the milder Revolutionary Alternative Common Force) fielding 74 candidates in legislative elections, in addition to the quixotic presidential bid by longtime leader Rodrigo Londoño, a.k.a. Timochenko. President Santos was willing to spend nearly all of his political capital in his historic quest for peace, and is now polling at a dismal 14 percent favorability rating. Future implementation of the peace accords hangs in the balance, with some aspects of the peace deal likely to be litigated by Colombia's future president, especially if Senator Iván Duque, a protégé of former president Álvaro Uribe, comes to power. Though smaller than the FARC was when

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peace negotiations commenced in 2012, the ELN has a stronger ideological core and arguably a weaker command structure, which complicates its ability to hold to commitments. Moreover, the ELN has been dragging its feet while the Santos government feels the pressure of its mandate running out. Nevertheless, President Santos has demonstrated that he is 'all-in' when it comes to peace, and the ELN may recognize that this is its best chance—a realization that will bring both parties back to the negotiating table soon."

A **Juan David Escobar Valencia, director of the Center for Strategic Thought at the Universidad EAFIT in Medellín:** "The ELN has a record of refusing to carry out negotiation processes. It is not news that they're doing it again. Although it has been a much weaker group than the FARC, the FARC negotiation process has allowed the ELN to show more reluctance in finalizing an agreement with the government. The first reason for the reluctance is that the ELN has benefited economically and militarily from the agreement between the FARC and the government, as the FARC outsourced several of its strategic business units, weapons and personnel to the ELN. Second, the FARC's supposed withdrawal from certain criminal activities has presented new opportunities to the ELN.

Third, the ELN learned during the negotiations between the FARC and the government that the latter yields if it is pressured and that it is willing to break the law and the Constitution in order to sign a paper that can be

“**The ELN has a record of refusing to carry out negotiation processes.”**

— Juan David Escobar Valencia

presented abroad as a peace agreement, so the ELN assumes that the result of the FARC negotiation is just the starting point of its talks. Fourth, the ELN sees that much of the agreement between the government and the FARC is going to stay on paper, and that the violations will increase, which makes it more difficult for it to sign an exact copy of this agreement without modifications in its favor. Because the ELN is betting on extending the process to gain space, the only way to return to a serious negotiation is to have it beaten militarily so that its cost-benefit calculation is altered."

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Erik Brand

Publisher
ebrand@thedialogue.org

Gene Kuleta

Editor
gkuleta@thedialogue.org

Nicole Wasson

Reporter, Assistant Editor
nwasson@thedialogue.org



Michael Shifter, President

Genaro Arriagada, Nonresident Senior Fellow

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Q&A

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