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THEDIALOGUE

FEATURED Q&A

Is Peace in Colombia Finally Within Reach?

Colombian President Juan Manuel Santos and FARC leader Timochenko shook hands last week between the peace talks' host, Cuban President Raúl Castro. // Photo: Colombian Gov't.

Q Colombia's government and the FARC rebels on Sept. 23 announced what they called a breakthrough in their nearly three-year peace talks, saying they had come to an agreement on one of the toughest points of their agenda for the negotiations—a method for punishing those who committed human rights abuses during the country's armed conflict. They also set a six-month deadline for reaching a final accord. How close is peace for Colombia? What are the major roadblocks to an eventual accord? How difficult will it be for a peace agreement to win the support of Colombian lawmakers and the public in a referendum—two required steps before a peace accord can take effect?

A Fernando Cepeda Ulloa, professor of political science at Universidad de los Andes in Bogotá and a former Colombian interior minister: "The FARC has consented to submit to a 'Special Jurisdiction for Peace.' This is the great breakthrough, the real innovation. Thanks to this agreement, the talks in Havana have acquired a notable dynamism, so much so that a final date has been agreed upon to sign the accords that will put an end to the conflict. The disarming process will start 60 days after. These are two decisions of great significance. With this in mind, what are the roadblocks to overcome before the final agreement? First, there are, so far, 28 'salvedades puntuales,' or specific reservations, made by the FARC to the main points of the agenda already negotiated. Apart from that, two important commissions have to be put in place—the truth commission and, even more relevant, the commission on the clarification of the paramilitarism phenomenon, which was requested by the FARC. Also still to be nego-

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TODAY'S NEWS

POLITICAL

Obama, Castro Meet on Sidelines of U.N. General Assembly

U.S. President Barack Obama and Cuban President Raúl Castro met for 35 minutes on the sidelines of the U.N. General Assembly in New York. The meeting marked the first time since the Cuban Revolution that a U.S. and Cuban president have met on U.S. soil.

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POLITICAL

Guyana's Granger Blasts Venezuela at United Nations

Guyanese President David Granger said Venezuela is using "intimidation and aggression" amid a border dispute.

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ECONOMIC

Oil Prices Could Surge to New Highs: Correa

If oil prices remain too low for too long, they could eventually soar to new highs, Ecuadorean President Rafael Correa said Tuesday.

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Correa // Photo: Ecuadorean Government.

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POLITICAL NEWS

Obama, Castro Meet on Sidelines of U.N. General Assembly

In an effort to further normalize relations between the two countries, U.S. President Barack Obama and Cuban President Raúl Castro met Tuesday on the sidelines of the U.N. General Assembly, The Wall Street Journal reported. White House officials said Obama reviewed recent regulatory changes the United States had made and urged Castro to take steps to maximize the effect of those changes. Obama also spoke of the additional steps the United States plans to take "to improve ties between the American and Cuban peoples" and reiterated the high importance the United States would place on human rights on the island. The two presidents also discussed Pope Francis' recent visit to both countries. After the meeting, Cuban Foreign Minister Bruno Rodríguez said the meeting was "respectful and constructive," but urged Obama to work harder toward lifting the U.S. trade embargo against Cuba.

Guyana's President Blasts Venezuela at United Nations

Guyanese President David Granger used his speech Tuesday to the United Nations General Assembly to criticize Venezuela's government, saying the neighboring country has used "intimidation and aggression" amid a border dispute, Reuters reported. "There has been a series of acts of aggression by presidents of Venezuela against my country," said Granger, referring to actions that occurred from 1968 through "President Nicolás Maduro's decree of May 2015." Maduro's government created a "defense" zone that Guyana has argued would leave it with no direct access to the Atlantic Ocean. The decree came after ExxonMobil announced that it made an oil discovery in an offshore area under a license granted by Guyana. Maduro demanded that ExxonMobil halt its exploration in the area. In July, he withdrew his ambassador from the neighboring country and then pulled the

Granger addressed the U.N. General Assembly on Tuesday. // Photo: United Nations.

accreditation of Guyana's ambassador to Caracas. On Sunday, Maduro and Granger agreed to reinstate their ambassadors during a meeting on the sidelines of the U.N. General Assembly meeting.

ECONOMIC NEWS

Oil Prices Could Surge to New Highs: Ecuador's Correa

Ecuadorean President Rafael Correa warned in an interview with The New York Times on Tuesday that if oil prices remained low for too long, they would eventually surge to much higher levels than before. "Low oil prices are harmful for everybody," Correa said in an interview between meetings at the U.N. General Assembly. "For a while, consumers can enjoy it, the low oil prices, but if they continue like this, you could have a barrel at $200, and that is a problem. In the interest of everybody, it is advisable to stabilize the oil market." Unless a global recession cuts down on demand, once the excess supply of crude is depleted, prices would soar again, said Correa. For smaller OPEC member countries like Ecuador, Venezuela and Algeria, the global drop in oil prices has been economically devastating. Correa said oil export revenue for his country will be down a projected 50 percent from last year. "I have lots of problems," said Correa. Many countries with smaller resource-based economies are

NEWS BRIEFS

Peru Declares Martial Law Following Deadly Protests Over Mining Project

Peru declared martial law on Tuesday in parts of the southern highlands after five days of protests surrounding the country's newest copper project led to three deaths, The Wall Street Journal reported. Protesters clashed with police on Monday outside the Las Bambas copper mine, a $7.4 billion project owned by a consortium led by China's MMG Ltd. During the 30-day period of martial law, freedom of association and movement will be restricted, and police may enter households without search warrants. A spokesperson for MMG was not available for comment.

FARC Leader Shies Away From Six-Month Deadline for Peace Accords

Colombian FARC leader Rodrigo Londoño, also known as Timochenko, in a rare interview broadcast on Tuesday, shied away from a six-month deadline to reach final peace accords that his rebel group and the Colombian government announced last week, the Associated Press reported. "If there's political will, we can do it earlier, but six months may also be too short," Londoño said in the television interview.

Ecopower Wins Approval to Build Chile Wind Park

Chilean renewable energy development company Ecopower on Monday received approval from Chilean environmental authorities to build a 100.8 megawatt wind park, SeeNews reported. The wind park will be built in Ancud in the Los Lagos region. The wind park will cost a projected $250 million and will include 42 wind turbines and transmission facilities for the turbines. The park is being built amid an increase in demand for industrial and residential power, especially on Chiloé Island.

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tiated are the issues related to the implementation of the agreements, which imply constitutional and legal developments. Congress is considering special procedures and extraordinary powers for the president. Of course, there are still aspects of the agenda that are under intense debate. The composition of the peace tribunal and the procedure to appoint the magistrates is already very controversial. A former and well-respected magistrate of the constitutional court argues that its creation violates article eight of the Inter-American Convention on Human Rights that forbids the creation of ex-post tribunals. The independence and impartiality of this tribunal is essential to its credibility."

Cynthia J. Arnson, director of the Latin American Program at the Woodrow Wilson Center: "Public officials and commentators in the United States and Colombia have rightly described the accord on transitional justice as historic, indicating a near-certain path to a final accord. Working groups on questions of the FARC's concentration and laying down of weapons have been meeting for months, which sets up the possibility that a final accord could be reached well in advance of the March 2016 deadline. Why, then, are so many breathing such a collective sigh of relief over the issue of transitional justice? The explanation is twofold. First, the FARC has long portrayed itself as the victim of the Colombian state and paramilitary groups. It is true that hundreds if not thousands of members of the Patriotic Union, a political movement founded by the FARC in the 1980s, were murdered and the circumstances never clarified. But only during the past year, and as part of the discussion of truth and justice for victims, was the FARC obliged to face many of the targets of its campaigns of murder, kidnapping and extortion. Representatives of the international community also contributed to the shift in FARC thinking. Second, the significance of an agreement on some mechanisms of transitional justice must be measured against the FARC's steadfast refusal to exchange its weapons for jail time. This is the delicate dance of all peace processes. The FARC accepted a formula combining truth telling and, for some, the privation of liberty, albeit not in a prison, for those found guilty by a specially-configured tribunal. The transitional justice formula has already been rejected by those who demand prison time or extradition for notorious FARC leaders. Hence, the issue of impunity will be central to the outcome of the referendum on the peace process promised by President Santos."

Myles Frechette, international trade and business consultant and former U.S. ambassador to Colombia: "It is too early to say how close Colombia is to peace. The breakthrough announced last week in Havana is stunning and marks the most progress ever made by a Colombian government in several attempts to negotiate peace with the FARC. That said, there will be legislative and procedural delays before a final agreement can be reached. For example, Colombia's Congress will be asked to approve the Santos administration's proposal for the 'Special Jurisdiction for Peace' to judge those FARC members who violated Colombian law as well as international humanitarian law. Human Rights Watch observed that 'It is difficult to imagine how this arrangement could possibly survive a serious review by Colombia's Constitutional Court, or for that matter, the International Criminal Court.' Amnesty International has expressed similar concerns. Polls show that the vast majority of Colombians want the FARC punished much more harshly for their crimes than provided for in that agreement. Will Colombia's Congress modify the agreement reached in Havana? Might such changes be unacceptable to the FARC? Further, the Colombian people must approve the peace agreement as a whole by referendum. After five decades of strife, suffering, death and displacement

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beginning to feel the effects of the end of a commodity boom; Ecuador, once one of the fastest-growing nations in South America, has a forecasted growth rate of 0.4 percent for this year. [Editor's note: See **Q&A** on how oil exporting nations should diversify their economies in Tuesday's Advisor.]

BUSINESS NEWS

Floating Hotel for Pemex Workers Launched in Spain

The first of two floating hotels, or flotels, purchased by Mexican state-owned oil company Pemex, were launched Tuesday in the shipyard of Vigo, a port in northwestern Spain, EFE reported. The flotels will be used to house Pemex employees working on offshore rigs for long periods of time. A second one is still in production, and Pemex is finalizing details to purchase a third, said corporate chief of staff Carlos Roa. "The terms are favorable for both

The floating hotels will house Pemex employees working on offshore rigs.

parties, and we want to take advantage of the benefits of duplicating a ship. We want three that are the same. That facilitates maintenance, operations and the crews, which can be interchangeable," Roa said. The negotiations for the purchase of a third flotel have been complicated by the recent variability in global oil prices, Roa said. Pemex awarded contracts to Navantia and Hijos de J. Barreras to construct the first two flotels. Pemex purchased a 51 percent stake in Hijos de J. Barreras in December 2013. If Pemex decides to move forward with the third flotel, the two contractors will compete for the contract in a consortium that includes PMI Norteamerica, which is a unit of Pemex's subsidiary, PMI Comercio Internacional.

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of millions of Colombians because of the FARC, might they reject it as too lenient? The reality is that, even if the agreement were approved, achieving peace in Colombia will require decades of commitment to resolve difficult legal and financial challenges and make necessary reforms. President Santos leaves office in 2018. Who knows what the priorities of his successor presidents will be?"

Michael Evans, senior analyst at the National Security Archive: "The fact that the FARC and the Colombian government have agreed on the thorny issue of transitional justice means that the country is closer to reaching a final peace accord than it has been at any time during more than 50 years of devastating conflict. Just as important was the Sept. 28 announcement that the United States would not seek the extradition of FARC leaders who were wanted for drug trafficking and other crimes, removing an issue that seriously complicated the Colombian government's efforts to demobilize and disarm right-wing paramilitary groups a decade ago (when the United States refused to take extradition off the table). However, there are certain key questions that remain unresolved, including whether rebels who are convicted of grave human rights violations will be eligible to run for political office upon completing their sentences. Members of the political opposition say to do so would require constitutional reforms that could take more than a year to approve. Even assuming that this is possible, it's important to remember that a previous attempt to bring insurgents into the political process in the 1980s ended in disaster when thousands of members of the newly-formed Patriotic Union political party were systematically assassinated by rightist forces who opposed their participation in government. The real key will be seeing how well the country can strike a balance between providing justice for victims, meting out punishment for those guilty of serious crimes, and guaranteeing the safety of those rebels who lay down their arms and seek to enter the political process."

Maria Velez de Berliner, president of Latin Intelligence Corporation: "Colombians crave peace and security, but not at the price of the 'Special Jurisdiction for Peace' given to the FARC. A parallel judicial system suited to the demands of criminals, terrorists and drug traffickers will exacerbate the distrust that Colombians, including Santos supporters, have of their judiciary and institutions. The new judiciary will increase their opposition to the agreement. Given that Colombians live in the midst of rampant criminality, corruption, collusion and impunity, the tri-level justice granted to the FARC is proven to be a pill that a majority of Colombians cannot swallow; they see the agreement as a travesty of justice unequal in the country's history. Additionally, widespread opposition to the comprehensive agreement will continue to grow if the government exercises expedient maneuvers to avoid a referendum or to manipulate it to gain approval, which requires a minimum of eight million affirmative votes, something that is nonexistent today. President Santos deserves to be applauded for his efforts to end a 51-year-old conflict that has left thousands of victims. But this transitional justice scheme, along with degrading drug trafficking from a crime to a tool of political opposition, and eliminating extradition to the United States for FARC members, are a gamble that does not augur well for the country. A majority of Colombians view the special courts, newly created congressional commissions and, possibly, extraordinary powers for Santos to pass the peace agreement, dispensing with constitutional mandates, as a 'political coup' against their institutions and the will of the majority. To think that Colombians would approve such a deal stretches credulity, for they know it will not bring peace but growing chaos and violence in a country that is sick of both."

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