



UNIVERSIDADE D
COIMBRA

Ana Isabel Rodríguez Iglesias

'PEACE WITHOUT ROOTS?'
THE ETHNIC DIMENSION OF PEACE IN COLOMBIA

Tese no âmbito do Doutoramento em Relações Internacionais - Política Internacional e Resolução de Conflitos orientada pela Professora Doutora Teresa Almeida Cravo e apresentada à Faculdade de Economia da Universidade de Coimbra.

Fevereiro de 2020



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Dedication

To my little sunshine, Olivia

Acknowledgments

“Escribir una tesis no es un sprint, Ana, es como una carrera de fondo, una maratón.” Acertada estaba Teresa Almeida Cravo, mi supervisora, con sus palabras. Como en toda maratón, en el camino hay momentos con mucha energía, sobre todo en los comienzos; hay otros de cansancio y fatiga, cuando la meta está más cerca pero aún se ve lejana; y cuando menos lo esperas, llegan los últimos metros y empiezas a ver la meta. En todas estas etapas, a lo largo del camino, hay numerosas personas a los dos lados de la carretera que se encargan, como en una maratón, de los avituallamientos. Del mismo modo, esta tesis que llega a su fin no habría sido posible sin un incontable número de personas que creyeron en el proyecto y fueron iluminando el camino desde distintas facetas. Asimismo, el financiamiento de la Fundação para a Ciência e a Tecnologia de Portugal (FCT), con el apoyo del Fondo Social Europeo de la Unión Europea, durante los cuatro años del programa de doctorado (2015-2020) permitieron la realización de este proyecto en cuatro países distintos.

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Llevo conspirando por la paz en Colombia casi desde que nací.

Gabriel García Márquez, 2005

Resumo

O Acordo Final de Paz de 2016, assinado entre o governo da Colômbia e o grupo guerrilheiro FARC-EP, foi um momento histórico que pôs fim a um conflito prolongado que durou mais de 50 anos. Embora as negociações tenham ocorrido entre as duas partes durante quatro anos (2012-2016), na imagem da assinatura do acordo, havia uma dúzia de representantes indígenas e negros que se conseguiram juntar aos últimos meses das negociações. Aparecem na fotografia porque conseguiram negociar no mesmo dia da assinatura do acordo a inclusão de um capítulo étnico que incluísse o respeito por todos os seus direitos étnico-territoriais adquiridos historicamente e que garantisse que a implementação do acordo estivesse alinhada com o seu entendimento de autonomia e de governo autónomo, consultando-os e envolvendo também a participação étnica em várias políticas e instituições de paz. De que forma é que as identidades étnicas entraram em jogo durante o acordo de paz e a fase de implementação entre o governo da Colômbia e as FARC? Partindo de estudos decoloniais e pós-estruturalistas, a tese analisa como a construção da paz pode (ou não) reproduzir certas estruturas de poder que já existem nos países e sociedades pós-coloniais e, por sua vez, como as práticas de resistência desses povos marginalizados as podem desafiar, instrumentalizar e até superar. Com base no trabalho de campo realizado na Colômbia durante quinze meses, esta dissertação explora primeiro como estes povos étnicos entraram nas negociações, mobilizando-se nacional e internacionalmente e, segundo, até que ponto os preceitos do Capítulo Étnico foram levados em conta durante os primeiros dois anos da fase de implementação. Em particular, a tese explora como os Programas de Desenvolvimento com Foco Territorial (Étnico) foram projetados no departamento de Chocó, entre os agentes governamentais e as organizações étnico-territoriais. Este trabalho argumenta que foi a agência dos povos étnicos, a sua capacidade histórica de resistir e de se mobilizar, e a sua capacidade de unir forças entre povos negros e indígenas, que lhes permitiu pressionar o governo para os convidar para as negociações e incluir o Capítulo Étnico. No entanto, esse momento histórico das negociações representou uma janela de oportunidade que foi fechada durante a fase de implementação, uma vez que as estruturas coloniais de poder que tradicionalmente relegaram as suas identidades, conhecimentos e formas de ser, floresceram novamente. Apesar das organizações étnico-territoriais terem ganho espaço em diferentes instituições encarregadas da implementação, elas não foram consultadas relativamente à maioria da legislação relacionada com o acordo e a lógica centralista do governo prevaleceu.

Na concepção do PDET, em particular, apesar de grandes segmentos da população, incluindo os grupos étnicos, participarem das assembleias, as suas cosmovisões não transcenderam das suas realidades locais para o governo central do país e para a sociedade em geral; em vez disso, as restrições de tempo, procedimentos técnicos e *know-how* da agência governamental dominaram, até agora, todo o processo e limitaram um diálogo intercultural.

Palavras chave: Paz decolonial, processos de paz, Colômbia/Chocó, capítulo étnico, identidades indígenas e negras.

Abstract

The 2016 Final Peace Agreement signed between the government of Colombia and the guerilla group FARC-EP was a historical moment that put an end to a protracted conflict that lasted more than 50 years. Although the negotiations took place between the two parties during four years (2012-2016), in the picture of the signature of the agreement there were a dozen of indigenous and black representatives that managed to join the negotiations in the very last months. They were in the picture because they managed to negotiate that very same day the inclusion of an Ethnic Chapter that included the respect for all their ethnic-territorial rights historically acquired and secured, and whose implementation would be in line with their notion of autonomy and self-government, namely by consulting with them and also guaranteeing ethnic participation in peace policies and institutions. How did these ethnic identities come into play during the peace agreement and the implementation phase between the government of Colombia and the FARC? Drawing from decolonial and post-structural studies, this thesis looks into how peacemaking and peacebuilding can reproduce (or not) certain power structures that are already in place in post-colonial countries and societies, and in turn how these marginalized peoples' practices of resistance cope, defy, instrumentalize, and even overcome them. Based on the fieldwork conducted in Colombia during fifteen months, this dissertation explores first how these ethnic peoples worked their way into the negotiations by both mobilizing nationally and internationally and, second, to what extent the precepts of the Ethnic Chapter were taken into account during the first two years of the implementation phase. In particular, the thesis focuses on how the Development Programs with a (Ethnic) Territorial-Based Focus (PDET) were designed in the department of Chocó among government agents and ethnic-territorial organizations. This work argues that it was the agency of the ethnic peoples, their historical capacity to resist and mobilize, and their capacity to join forces between black and indigenous peoples what allowed them to pressure the government to invite them to the negotiations and include the Ethnic Chapter. However, that unprecedented moment of the negotiations represented a window of opportunity that was then closed during the implementation phase, as the colonial structures of power, that have historically relegated their identities, knowledges, and ways of being, flourished once again. Despite the fact that ethnic-territorial organizations gained some space within different institutions in charge of the implementation, they were not consulted for the majority of the agreement's subsequent legislation and the centralist logic of the government prevailed. In the design of the PDET in particular, although large segments of

the population, including ethnic groups, participated in the assemblies, their worldviews did not transcend from their local realities to the central government of the country; instead, time constraints, technical procedures, and the government agency's know-how have so far dominated the whole process and limited an intercultural dialogue.

Keywords: Decolonial peace, peace processes, Colombia/Chocó, ethnic chapter, indigenous and black identities.

Acronyms

ACIA	Asociación Campesina Integral del Atrato (Peasant Integral Association of Atrato)
ADR	Agencia de Desarrollo Rural (Agency of Rural Development)
AFRODES	Asociación de Afrocolombianos Desplazados (Association of Afro-Colombian Internal Displaced People)
AICO	Autoridades Indígenas de Colombia (Indigenous Authorities of Colombia)
ANAFRO	Autoridad Nacional Afrocolombiana (Afro-Colombian National Authority)
ANT	Agencia Nacional de Tierras (National Agency of Land)
ANUC	Asociación Nacional de Usuarios Campesinos (National Association of Peasant Users)
ART	Agencia de Renovación del Territorio (Territory Renewal Agency)
ASOREWA	Asociación de Cabildos – Autoridades Tradicionales Indígenas Embera Dóbida, Katío, Chamí y Tule
AUC	Autodefensas Unidas de Colombia (United Self-Defenses of Colombia)
CBTU	Coalition of Black Trade Unionists
CENPAZ	Coordinadora Étnica Nacional de Paz (National Ethnic Peace Coordinating Board)
CGSB Board)	Coordinadora Guerrillera Simón Bolívar (Simon Bolivar Guerrilla Coordinating Board)
CIT	Confederación Indígena Tayrona (Tayrona Indigenous Confederation)
CLAF	Consejo Laboral Afrocolombiano (Afro-Colombian Labor Council)
CNA	Coordinador Nacional Agrario (National Agrarian Coordinating Board)
CNMH	Centro Nacional de Memoria Histórica
CNOA	Conferencia Nacional de Organizaciones Afrocolombianas (National Conference of Afro-Colombian Organizations)
CNR	Consejo Nacional de Reincorporación (Reincorporation National Council)
COCOMACIA	Consejo Comunitario Mayor de la Asociación Campesina Integral del Atrato
CONAFRO	Coordinadora Nacional Afrocolombiana (Afro-Colombian National Coordinating Board)
CONPA	Consejo Nacional de Paz Afrocolombiano (Afro-Colombian National Peace Council)
CONPAZ	Comunidades Construyendo Paz en los Territorios (Communities Building Peace in the Territories)
CONPI	Coordinadora Nacional de Pueblos Indígenas (National Indigenous Peoples Coordinating Board)
CRIC	Consejo Regional Indígena del Cauca (Indigenous Regional Council of Cauca)
CRICH	Consejo Regional Indígena del Chocó (Indigenous Regional Council of Chocó)
CSIVI	Comisión de Seguimiento, Implementación, Verificación e Impulso del Acuerdo Final de Paz (Commission for Monitoring, Promoting and Verifying the Implementation of the Final Agreement)
DAS	Departamento Administrativo de Seguridad (Administrative Security Department)
DDR	Demobilization, Disarmament and Reintegration
DNP	Departamento Nacional de Planeación (Planning National Department)
DT	Discourse theory
ELN	Ejército de Liberación Nacional (National Liberation Army)
EPL	Ejército Popular de Liberación (Popular Liberation Army)

FARC-EP	Fuerzas Armadas Revolucionarias de Colombia- Ejército del Pueblo (Revolutionary Armed Forces of Colombia- People's Army)
FARC	Fuerza Alternativa Revolucionaria del Común (Common Alternative Revolutionary Force)
FEDEMICHOCO	Federación Minera del Chocó (Chocó Mining Federation)
FEDEOREWA	Federación de Asociaciones de Cabildos Indígenas del Departamento del Choco
FISCH	Foro Inter-Étnico Solidaridad Chocó (Inter-Ethnic Forum Solidarity Choco)
GBV	Gender-Based Violence
GMH	Grupo Memoria Histórica (Group of Historical Memory)
IACHR	Inter-American Court of Human Rights
IEANPE	Instancia Especial de Alto Nivel con Pueblos Étnicos (Special High Level Panel with Ethnic Peoples)
JEP	Jurisdicción Especial para la Paz (Special Jurisdiction for Peace)
MAPP	Misión de Apoyo al Proceso de Paz (Mission of Support to the Peace Process)
MAQL	Movimiento Armado Quintín Lame (Armed Movement Quintin Lame)
NCA	National Constituent Assembly
NSM	New Social Movements
OACP	Oficina del Alto Comisionado para la Paz (Office of the High Commissioner for Peace)
OAS	Organization of American States
OIA	Organización Indígena de Antioquia (Antioquia Indigenous Organization)
OICH	Organización Indígena del Chocó (Indigenous Organization of Chocó)
ONIC	Organización Nacional Indígena de Colombia (Indigenous National Organization of Colombia)
OPIAC	Organización Nacional de los Pueblos Indígenas de la Amazonia
PA	Peace Agreement
PATR	Plan de Acción para la Transformación Regional (Action Plan for Regional Transformation)
PCN	Proceso de Comunidades Negras (Black Communities Process)
PCSD	Política de Consolidación y Seguridad Democrática (Democratic Security and Consolidation Policy)
PDET(E)	Programas de Desarrollo con Enfoque Territorial (Étnico) (Development Program with a (Ethnic) Territorial-Based Focus)
PISDA	Planes integrales comunitarios y municipales de sustitución y desarrollo alternativo (Comprehensive community and municipal-based plans for substitution and alternative development)
PMI	Plan Marco de Implementación (Framework Plan for Implementation)
PND	Plan Nacional de Desarrollo (Development National Plan)
PNIS	Programa Nacional Integral de Sustitución de Cultivos de Uso Ilícito (National Comprehensive Programme for the Substitution of Crops Used for Illicit Purpose)
PNR	Plan Nacional de Rehabilitación (Rehabilitation National Plan)
PRT	Partido Revolucionario de los Trabajadores (Workers' Revolutionary Party)
PSD	Política de Seguridad Democrática (Democratic Security Policy)
RRI	Reforma Rural Integral (Comprehensive Rural Reform)

UN	United Nations
UP	Unión Patriótica (Patriotic Union)
WOLA	Washington Office on Latin America
WOUNDEKO	Consejo de Autoridades de Pueblo Wounaan de Colombia
ZRC	Zona de Reserva Campesina (Rural Peasant Reserve Zone)
ZIDRES	Zonas de Interés de Desarrollo Rural, Económico y Social (Areas of Interest for Rural, Economic and Social Development)

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INTRODUCTION¹

In Colombia there are three visions of peace. On the one hand, there is a violent peace, led by the extreme political right who believes that revenge and repression can consolidate peace; this is a peace that has already shown that it is not the solution as the country has been bleeding for 50 years. On the other hand, there is the peace of the capital, the peace of development, led by President Santos who believes that international investment can change the reality of the Colombian population, but that is not the solution because these multinationals are generating displacements and not considering the communities. Finally, there is the peace we, the communities, envision, a peace that brings about harmony for our ways of life and our ecosystem.

Danelly Estupiñán, *Proceso de Comunidades Negras* (Blay, 2016).

In 2016 the government of Colombia of Juan Manuel Santos and the guerrilla group FARC-EP (*Fuerzas Armadas Revolucionarias de Colombia – Ejército del Pueblo*, Revolutionary Armed Forces of Colombia – People's Army) signed the 'Final Agreement for a Stable and Lasting Peace', after more than 50 years of a protracted conflict and after four years of negotiations in La Habana. The text of the 2016 Peace Agreement has six main chapters. Each chapter of the Agreement has various subsections, every single subsection has its own story. The next pages tell an interpretation of the story of point 6.2.1. If you look for this part of the Agreement you will notice that it is just two and a half pages long, but every word contained in it is the reflection of an intercultural dialogue between the main actors at the negotiating table and a group of ethnic-territorial organizations that felt their rights needed to be included in that text in order to be considered during the implementation phase.

The first time I heard about the Ethnic Chapter I was living in Washington DC. Gimena Sánchez-Garzoli from the Washington Office on Latin America (WOLA) had organized, in the summer of 2017, a talk with ethnic leaders from Colombia who had been key actors in the negotiation of the Ethnic Chapter. At the time I did not know that months later I would be participating in the long meetings between the government and other ethnic regional organizations to discuss and advocate for the implementation of this 6.2.1. That day in Washington I asked Gimena about my starting research approach to the Colombian peace process: I was exploring the plurality of discourses of peace during the 2012-2016 peace process, so we ended up talking for an hour about how black organizations in Colombia came together for the first time under a single platform to press the government to make

¹ The expression 'Peace without roots?' in the title comes from a black social leader who claimed it during a conference on Decolonial peace that took place at the Javeriana University on 26 September 2018 in Bogotá.

room for them in La Havana, where peace negotiations were taking place. Gimena gave me her impressions about their struggle and how they joined efforts with indigenous groups for the same cause. I arrived home with a great curiosity to know more about that process, and, although I found a few references in the press, many details were missing about how they made their way into this historical process.

How these marginalized sectors of the population managed to break into the bilateral peace process, despite the control of the process by the two main parties, constitutes the research puzzle that sparked this research. To make sense of this puzzle, I wondered how (ethnic) identities came into play during the peace agreement and the implementation phase, looking back also to how the conflict had affected their evolving ways of identification. From a theoretical perspective, I considered as well how the plurality of ontologies, epistemologies and methodologies of peace interact and are channeled during a peace process. These general research questions have been subdivided in the next section for further clarity.

The ethnic peoples' arguments to include point 6.2.1 transcended the armed conflict and the peace process themselves, and reflected the need to overcome the whole system of structural violence in place since colonial times. Their contention was with a patriarchal and liberal economic, political, and social model already in place in the country and not subject to discussion during the peace negotiations.

a. Area of study, objectives and research questions

The area of study of this project is the ethnic dimension of peace in Colombia, starting from the premise that peace is a polysemic concept with a multiplicity of approaches and understandings, also among the ethnic groups.² By ethnic dimension, the project understands how various ethnic organizations of Colombia, both indigenous and black territorial organizations, conceive peace, its implications, and the process to achieve it, from their particular different identities, as collective peoples,³ in the context of the latest negotiations

² In Colombia the term 'ethnic' refers to indigenous peoples, black communities, Raizales of San Andrés islands, and Rom. In this work, I will limit its use to blacks and indigenous peoples.

³ The term 'people' is used by the native inhabitants of the colonized territories to refer to their unity of identity, their conscience as different peoples, and their own political willingness to "exist as different peoples". The concept also refers to their right to self-determination as the United Nations Declaration on the Rights of Indigenous Peoples recognized in 2007. Although the Ethnic Chapter of the Peace Agreement is for all indigenous peoples in Colombia, the dissertation analyzes the work conducted by various ethnic-territorial organizations that were involved in the process. For historical reasons analyzed in Chapter 2, most indigenous and black peoples in Colombia organize themselves in ethnic-territorial organizations for the defense of the territory and for representation.

between the government of Colombia and the FARC-EP (2012-2016) and during the first two years of implementation (2016-2018).

The use of the term indigenous, from an academic perspective, acknowledges the existence of a plurality of peoples that are attached to a particular territory with ancestral links, with diverse histories, traditions, languages, memories, customs, and ways of living. Although it has also been used as a homogenizing concept, in this thesis, I use it following the decolonial perspective of Tuhiwai Smith (2016): “This term has made it possible to strategically express the voices of colonized peoples in the international arena; it has also functioned as a platform on which communities and peoples meet, transcending their own contexts and experiences under colonization, in order to learn, share, plan, organize and fight collectively for self-determination in global and local scenarios” (2016, p. 27).

The research thus puts in dialogue peace and decolonial studies to explore the concept of peace from a decolonial perspective. Through this combination, the project highlights the subaltern⁴ or counter-hegemonic views of peace of black and indigenous organizations, and, in turn, from an ontological perspective, studies the role identities play and how they are used in peace discourses, practices, and policies. The decolonial study of peace in Colombia questions and contributes to the critique of the liberal peace literature, taking into account the colonial footprint in the Latin American context. The case of Colombia, where the different governments themselves have led the peacemaking and peacebuilding processes, allows us to explore the clashes and contradictions and, in turn, the accommodations and hybridizations between the precepts of the liberal peace and the worldviews of the ethnic-territorial organizations at the national, regional, and local level. In this vein, this research explores the existing local peace practices and processes underlying the formal peace negotiations that have led several ethnic organizations to assume a larger role in the national peacemaking process and during the peacebuilding phase.

Thus, the general objective of the research project is to explore how ethnic-territorial organizations managed (or not) to reflect their views on peace in the Peace Agreement reached in 2016 and how these particular views were implemented (or not) until mid-2018.

⁴ The subaltern is the voiceless subject that, according to Spivak (1988), is questionable that can be heard within the capitalist system and its imperialist culture. The subaltern does not respond to a unitary consciousness but is heterogenous, and relates to an identity of class, gender and ethnicity. According to the Latin American Subaltern Studies Group (see more in Chapter 1), “The subaltern is not one thing. It is, to repeat, a mutating, migrating subject” (1994, p. 10). Thus, the subaltern is seen as all the non-hegemonic actors that have been subordinated by the colonial power and then by the elites after independence.

Within this empirical objective, the study will also pay attention to the dynamics of power and resistance that are generated in the interaction between the elite's views, be it from the government, the opposition, or the Secretariat of the FARC, and those of the ethnic communities.⁵ Another specific empirical objective of the project is to explore the different concepts and different implementations of 'territorial peace' to understand how a territorial approach designed and put in place by the government, from a top-down national and sovereign perspective, may address the plurality of territorial needs, emotions, and worldviews of the peoples organized in different territorial units of Colombia.

Taking these objectives into account, this project aims to answer the following research general questions and sub-questions:

- Why and how was an Ethnic Chapter included in the Peace Agreement?
 - How did ethnic identities come into play during the peace agreement between the government of Colombia and the FARC?
 - What does the Ethnic Chapter represent for the historical struggle of the ethnic peoples of Colombia?
- To what extent has the ethnic dimension included in the Peace Agreement been imprinted in the implementation phase?
 - How does the plurality of ontologies, epistemologies and methodologies of peace interact and are channeled during the peacebuilding phase?
 - How has the concept of territorial peace of the Agreement been put in place in the design of the PDET(E)?
- How is peace understood from decolonial ethnic perspectives?
 - What does the decolonial approach offer in terms of the broader critique of the liberal peace?

⁵ By elites, this project refers to those people that control economic, political and social power within a particular country. In the context of postcolonial countries in Latin America, the elites are those of Spanish descentance that see themselves as superior to the native people and have reproduced the colonial structures of power after independence until the present, in order to maintain the status quo, based on race, gender, and class. The leaders of the ethnic-territorial organizations could be seen as indigenous elites, as they have a privileged position within their communities and thus we will account for the hierarchical relationships within those; yet, they are not part of the national and regional elites described above.

- How does the coloniality of power embedded in the liberal peace (re)produce hegemonic and subaltern identities/alterities?

b. Literature review

In order to answer these questions, this project starts with the review of the existing literature on critiques of liberal peacebuilding and on the ‘local turn’ (Mac Ginty & Richmond, 2013; Paffenholz, 2015). The term liberal peace refers to international peace interventions that follow a single recipe to recover war-torn societies, based on the Western principles of liberal democracy, state-building, liberal institutions, open markets, and security (Duffield, 2001). Yet, despite the vast critical literature of the liberal peace, this model is not as homogenous as it has been depicted. Following Richmond, Mateos Martín (2011) offers a classification of the models of liberal peace: a realist-conservative model, whose main objective is to secure order and security; an orthodox-liberal model, that aims to manage conflicts through the rebuilding of state institutions, democratic elections, market economy, through local ownership;⁶ and the emancipatory-transformative model, which seeks a different local ownership based on peace with social justice and a bottom-up design and implementation of the process, taking into account the socioeconomic local needs.

In the 1990s the critical literature on peacebuilding first emphasized the shortfalls of the liberal peace model, promoted by the United Nations and summed up in the Agenda for Peace (1992) (Randazzo, 2016; Almeida Cravo, 2013, 2017), which emphasized the need to overcome the roots of the conflict, social injustice and political oppression, before, during and after the conflict. The goal was to improve the model, and for that this first wave of critiques of the liberal peacebuilding drew from Jean Paul Lederach’s proposal of building peace from the bottom-up and incorporating local communities and elites in all the phases of the process in order to make peace viable and sustainable, as explains Mateos Martín (2011). This first group of critics is known as “reformist critiques (the problem-solvers)” “who, while recognizing relevant defects in the model, advocate its continuation, refining the process without challenging its ideological foundation” (Almeida Cravo, 2017, p. 54). In Chandler’s (2010) categorization, the ‘ideas-based critique’ does not question the liberalism underlying the external peacebuilding model, but calls to take into consideration the context

⁶ Local ownership has also been object of discussion within the critical debates of the local turn. On the one hand, it has been praised because it entails that local people are involved and get control of the peace process (Martin and Moser, 2012; Thiessen, 2015; Schirch & Mancini-Griffoli, 2015), but on the other hand, it has been criticized as a top-down project that responds to the technical needs of the international intervention (Reich, 2006; Donais, 2011).

where democratization and marketization are being exported, and offers alternatives and solutions to remedy the shortcomings of the necessary interventions.

A second strand of the critical literature is endorsed by “structural critics” “who question the legitimacy of the model itself, its values, interests and the reproduction of hegemonic relations, challenging, thus, the order accepted as an immutable reality” (Almeida Cravo, 2017, p. 54). In the same vein, Chandler (2010) presents this group of critiques as ‘power-based critiques’ that confront the universalist assumptions of Western liberalism and mainly the related economic model.⁷ Influenced by post-structuralism and postcolonialism, different authors (Dillon and Reid, 2009; Jabri, 2007, 2013; Paffenholz, 2015; Reid, 2004; Richmond, 2005) denounced the biopolitical and governmentality nature of the liberal peace as a dispositive of control of the population, that reproduces the existing hierarchies and the marginalization of specific subjectivities. In this vein, drawing from Foucault (1997), peace is understood as a continuation of war by other means.

Based on the postcolonial concept of hybridity developed by Bhaba within postcolonial studies, Richmond (2011a, 2015) and Mac Ginty (2010) theorize the concept of hybrid peace to refer to the unintended results of the interaction between the international model and the local resistance to it. From this idea, Richmond (2009a, 2011a) talks about ‘post-liberal peace’ to refer to the resistance of the local communities from their everyday practices, processes, and experiences to the international liberal model of peace.

The study of local experiences and everyday peaces has followed several possibilities within peace studies: Juan Daniel Cruz (2018) advocates for a decolonial standpoint on peace that would imply the recognition of heterogeneity – of views, identities, cultures, practices – incorporating the cognitive justices that the epistemologies of the south defend (Cruz, 2018, p. 17; Santos, 2014). Wolfgang Dietrich (2014) at the Innsbruck School of Austria developed the concept of trans-rational peace, including the rational, emotional, mental and spiritual aspects of peace, in order to propose a conflict transformation approach that considers the existing communally held knowledge (Dietrich, 2014, p. 53), which he names ‘elicitive methodology’. Complementing this theoretical take on the ecology of peaces, Christopher Courtheyn (2018a) draws from trans-rational peace and peace geographies to develop the

⁷ In this article, Chandler concludes that both types of critiques consider the model of Western intervention to be “too liberal” for ‘the non-liberal nature of the societies intervened upon’ (2010, p. 155).

⁸ By cognitive justice is understood the valorization of those epistemes, knowledges, *saberes*, that have been marginalized by a hegemonic western model of knowledge that proposes its methodology as universal and dismisses any other approach.

concept of ‘trans-relational peace’. It complements the trans-rational peace approach putting the focus on peace movements in order to explore alternatives to modern-liberal peace “that counter the hierarchical dualism of modernity, including human over nature, man over women, white over black, and the capitalist class over workers” (Courtheyn, 2018a, p. 742). Likewise, intersectional feminist accounts have advocated for redressing the focus on gender, race, class, and ecology issues (Daley, 2014). The decolonial political ecology literature, in particular from Latin America, explores how nature has been subordinated and exploited since colonial times, and the processes of resistance to protect it from its commercialization with the goal to preserve natural resources for the communitarian use according to the traditional social organization (Alimonda, 2011; Escobar, 2005).

These approaches, that draw from local capabilities, knowledges, and feelings, have been at the core of peace studies in Colombia: Hernández Delgado (2006) explores the strategies of resistance of indigenous peoples of Cauca in the middle of the conflict, as well as of indigenous, afro-descendants and peasants (Hernández Delgado, 2009); and Barreto’s (2013) study of the Peace Labs in the Magdalena Medio region introduces the concept of ‘peace of little nothings’ to refer to “micro expressions of multidimensional conflict transformation” “which overcome the armed conflict’s polarization and build alternatives to violence by creating social, economic, political and cultural inclusion leading to more justice and equity in different levels of human relations” (2013). Likewise, Sandoval Forero from Mexico (2013) criticizes the structural violence of the capitalist system that pervades the state-led peace policies in Colombia, and defends an intercultural peace from the bottom that takes into account the cultural diversity of the indigenous peoples, their knowledges, praxis and voices (Sandoval Forero, 2016). More recently, Mahecha (2018) compares three initiatives of peace from civil resistance in the middle of the conflict and the peace negotiations. Using grounded theory,⁹ Cardona González (2018) explores the interaction between the local understandings of peace of different indigenous peoples of Cauca and the Habana Peace Agreement.

While these works are valuable for our study and ground it, they fall short of explaining the embedded political, economic, and social structures of power remaining from colonial times that exceed the conflict but are a core element of it. In addition, some of these works keep a normative standpoint (Sandoval Forero, 2013) and/or focus only on the interaction between

⁹ A methodological approach that constructs theories based on a inductive systematization and analysis of the data collected.

locals and elites during the peacemaking or peacebuilding phases, in order to explain the resulting hybridity, very often hiding colonial narratives and practices (Cardona González, 2018). In order to complement these views with a deeper analysis of the multiplicity of peaces and possibilities for the co-existence of models, this project turns to decolonial studies and poststructuralism to explore how these local resistances are able to open spaces within the colonial structures and hegemonic discourses in place, in order to be able to exert their autonomy, self-determination, rights, traditions, and alternative views of peace, democracy, security, and development.

The poststructuralist view questions the universal narratives of peace from a Western, centralist, and elitist approach, thus opening spaces for alternative voices from the margins. And the decolonial standpoint allows for the incorporation of situated knowledge as well as reflections from Latin American authors and ethnic-territorial organizations about the coloniality of power, meaning the matrix of power that has remained after independence and continues to (re)produce marginalized identities, also through war and peace discourses. The study of identities through a decolonial analysis will also be complemented with insights of feminist literature dealing with the social formation and transformation of identities and political ecology, dealing with the intrinsic relationship between humans and nature, and social conflicts over nature.

Thus, the articulation of peace, decolonial, and ethnic studies offers a new take into the study of peace and peacebuilding in Colombia. The project not only addresses the concept of peace from a decolonial perspective, but also studies the resistance of ethnic groups to elites' peacemaking and peacebuilding dynamics, historically situating their struggle since colonial times. The historical perspective is necessary to understand how the current distribution of power was born and how it has affected the evolving construction of their identities. In order to do that, I work with the specific ethnic communities that have been involved in the peace process, and avoid generalizations about 'the local' in Colombia. For that, it is important to consider the different ethnic-territorial groups that include a variety of black organizations and of indigenous peoples and, in turn, organize themselves differently at the national, regional, and local level. In addition, I am aware and will address the power dynamics within the ethnic groups, being alert of the tendency to romanticize practices of resistance just for the fact of taking place at the local level (Richmond, 2009). Likewise, the analysis considers the fact that hierarchies between elites and subalterns take also place within subaltern organizations, reproducing the same structures they aim to overcome. The thesis also

introduces the necessary nuances at the government level, by pointing out the differences between agencies, ministries, and political parties. In this vein, it is also important to give space to the interests of the regional elites that differ from those at the national level.

c. Justification and relevance of the dissertation

The study of peace processes continues to be one of the core fields of International Relations. The case study of Colombia has also been of particular interest within the IR literature on peace and conflict, even more since the Peace Agreement was signed in 2016, after more than fifty years of conflict, putting an end to one of the longest protracted conflicts in the world, and one of the last internal conflicts in the American Hemisphere. Understanding why peace processes endure or fail is still one of the main concerns for the international community, national governments and their constituencies. In this regard, the focus on community practices and approaches to peace has become extremely relevant since local communities are part of the peace constituencies that affect and get affected by the whole process. Peace efforts cannot be understood without the role communities play, whether at the local, regional, or national level.

This project contributes to the critical literature on the local turn, by analyzing the interaction of ethnic communities with the national and regional governments,¹⁰ an aspect that has been underestimated in studies that tend to put the focus on the interaction between locals and international organizations / actors (Lilja & Höglund, 2018; Mac Ginty, 2010, 2011, 2014; MacGinty & Richmond, 2013; Richmond & MacGinty, 2009). The case of Colombia offers a unique opportunity to first explore the community dynamics within the national context, and second their interaction with the international community from an active position rather than as recipients of international aid or intervention. Specifically, the relevance of this project lies on its focus on the role black and indigenous groups have played during the negotiations and the implementation of the Peace Agreement in Colombia, because it provides an analysis of the agency articulated by these marginalized peoples in a country traversed by structural racism, despite the Constitutional recognition of ethnic rights. Studying the plurality of understandings of peace from an ethnic perspective also allows us to see to what extent the current peacebuilding model offers spaces for the coexistence of other knowledges, practices, and ways of beings.

¹⁰ For further details on this interaction within the field of International Relations, see Mitchell & Hancock (2012).

In turn, the emphasis on ethnic resistance movements offers very specific contributions to the field of identity, racial and cultural studies, within the framework of the epistemologies of the south (Santos, 2014). The work accounts for the plurality of meanings of peace, in particular from the south and the margins (border thinking) (Mignolo, 2000). Thus, the analysis of ethnic peace discourses and practices sheds light on the relational and ontological dimensions of peace, that is, how the discourses of peace are configured as a vehicle for the defense of life within a cosmovision of how to be, exist and think from the territory, as a vital element. The focus on the territorial perspective of peace that the Colombian Agreement introduces also allows us to explore the possibilities of building peace in the periphery, in this case in the areas most affected by the conflict, and to shape the interaction between central government, regional institutions, and ethnic-territorial authorities.

The poststructuralist and decolonial perspectives of this research expand the understanding of peace and nation-state building as discursive mechanisms that interact with each other and are traversed by the relations between ‘us’ and ‘others’. The role identities play in war and peace dynamics is key to advance studies of reconciliation and coexistence after the conflict. The focus on the interconnection between identities, everyday peace practices, and nation-state building deepens the understanding of elite-subaltern encounters in peace processes in postcolonial states.

Furthermore, the research contributes to debates about the construction of hegemonies and the possibilities of the pluriverse, or ‘worlds where many worlds fit,’ according to the Zapatista philosophy. The decolonial theoretical reflection about the ontological struggles of the ethnic peoples sheds light on how different worldviews can be articulated and co-exist within a hegemonic, modern-western framework, such as the nation-state.

d. Research ontology, epistemology and methodology

The research project is based on a relational ontology, that is, it rejects the existence of essential definitions or approaches to peace and identities; rather it studies these phenomena as social products that result from social interactions and dynamics. Following the poststructuralist and decolonial turns, this study deconstructs and questions ‘the universal’ way of understanding peace based on Eurocentric and western knowledges, experiences and history, and deals with the subalternized approaches to peace.

In this vein, the project also breaks with the idea of the universality of certain epistemologies, for instance, regarding the benefits of the liberal peace and/or liberal peacebuilding itself.

Drawing from the Epistemologies of the South (Santos, 2014), the project focuses on epistemologies that have been marginalized by Eurocentric and western knowledges, making space for a plurality of epistemologies ‘others.’¹¹ Thus, the emphasis of this research project is on the knowledges that come from marginal spaces and processes, rather than the hegemonic or prevalent ones. Approaching these knowledges from a decolonial standpoint implies emphasizing the affectivity, spirituality, and integrality of wisdoms and traditional knowledges (Guerrero Arias, 2012), while being also aware of avoiding the romantization of local people and understanding their own power relations, hierarchies, and interests (Richmond & McGinty, 2009).

Also the decolonial take has led me to take a position as an ‘engaged’ researcher that aims to contribute to the transformation of reality from a horizontal position. In order to do that, I personally engaged with the actors and processes taking place in the field. In this regard, this study follows a postpositivist, decolonial, feminist, and elicitive methodology. This kind of methodology implies that the different understandings and practices of peace are explored from a relational point of view, avoiding the search for causality (postpositivist); from the bottom, that is, working and dialoguing with the subaltern subjects (decolonial); considering the situated knowledge of social movements (elicitive), and their embodied practices and feelings and their ways of identification (feminist). This kind of methodology aims at contributing to cognitive justice, which implies focusing on those wisdoms traditionally marginalized and silenced, and highlighting emerging practices and knowledges, and creating room for an ecology of knowledges (*ecología de saberes*) (Santos, 2011; 2014).

In order to apply this methodology, I followed the principles of participatory-action research, developed by the Colombian sociologist Orlando Fals Borda and peace action and (re)search by Johan Galtung (1996) introduced in the discipline of Peace Studies since the 1960s, which advocated for a research that has an impact on reality by promoting the consolidation of peace as social justice (Almeida Cravo, 2016). The research is understood as a process whereby knowledge is produced in a collective manner, by interchanging views in a two-way direction; implies the dialogic relationship between subject and subject, overcoming the subject-object hierarchical relationship; and involves both the rational and the affective logics of the phenomena under study (Calderón & López Cardona, 2015; Fals Borda, 1991). These principles translated in practice in many personal relationships with actors being

¹¹ Placing ‘other’ after the main concept instead of before serves to make the idea that there is not a dichotomy between both, but there are many possibilities.

interviewed and accompanied in their peace endeavors. I will now detail the steps taken to understand the local insights on the peace process and to include them in the empirical chapters.

On the ground

Studying the ethnic dimension of peace in Colombia implied getting to know the ethnic actors, their context, and their activities, but also the government and the FARC members that were involved in the peace agreement and its implementation. For that reason, I lived in Colombia for fifteen months between September 2017 and December 2018, spending six months in the capital Bogotá, and nine months in the department of Chocó in order to accompany the implementation of the peace program PDET.

In Bogotá I did a fellowship at the Observatory of Peace of the University Jorge Tadeo Lozano with Professor Miguel Barreto and an internship at the Mission to Support the Peace Process in Colombia of the Organization of American States (*Misión de Apoyo al Proceso de Paz*, MAPP/OAS). Fruit of this latter internship, I was welcomed to collaborate with the activities of the MAPP at their regional office in Quibdó, capital of Chocó. In that capacity, I visited several rural areas and municipalities such as Istmina, Alto and Medio Baudó, and Quibdó in Chocó, and Vigía del Fuerte and Murindó in Antioquia, where we interviewed different members of the communities about their impressions on the implementation of the peace agreement. Our trip to Vigía and Murindó took place during a ceasefire between the government and the armed group National Liberation Army (*Ejército de Liberación Nacional*, ELN) in November of 2017; during that visit we encountered several members of this armed group at one of the riverine local communities we stopped by and briefly chatted with them when we disembarked at the village. Events like this could have been riskier had I not traveled with the OAS, an organization that works under impartiality in the territories.

During this time, I also had the opportunity to attend a communal mourning of Embera people of the '18 community', after one of their indigenous guards had been killed by a soldier. At that meeting, while representing the MAPP/OAS, I recommended their leaders to attend and speak at a forum happening the following day in Quibdó that was going to be attended by the High Commissioner for Peace, as well as high representatives of the United Nations and the OAS. They followed suit, and after talks with the army, the indigenous representatives requested that the General of the Division deployed in Chocó visited their community in person and participated in an act of pardon, which I also accompanied a few

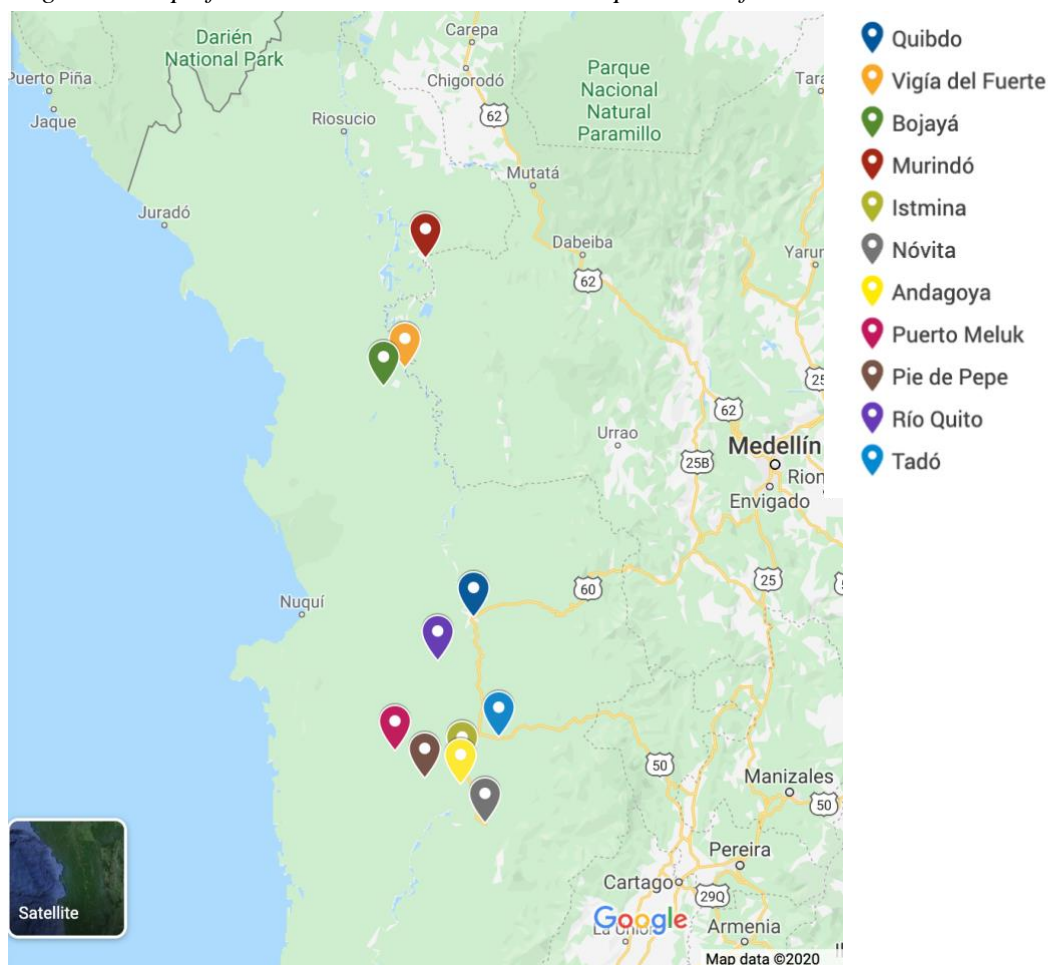
days afterwards. This was a unique experience to start understanding the different logics of time, life and death, mourning, and communal interaction of the indigenous community, in contrast with those of the army, the western workers from international organizations, and the mediating role the church plays in these rural areas of the country.

Figure 1. Map of Colombia with the political-administrative departments



Source: Google images

Figure 2. Map of the communities visited in the Department of Chocó



Source: Author's elaboration with Google Maps.

That working experience was the entry door to know the main ethnic-territorial organizations and their leaders. However, working for an international organization was neither ideal for the decolonial theoretical approach nor for the participatory action-research as I could be seen as an external agent from the international community with specific interests. Thus, I started to attend all the public meetings organized and/or attended by the ethnic-territorial organizations and let them know that my internship with the OAS had finished and that I was staying in Chocó the whole year to conduct my research, as a doctoral student, about the peace process and implementation of the PDET. From then on, I introduced myself as a PhD candidate and professor at the FUCLA University in Quibdó, where I taught two courses. I also explained to the locals that I was taking a decolonial approach, implying that I wanted to explore their processes and views considering their long history of marginalization since colonial times but also of resistance and fight for their ethnic and territorial rights.

The decolonial approach was also a personal process by which I continuously questioned my white privilege and my relationship with the ethnic communities, in order to try not to reproduce the epistemological problems of the modernity that traverse my background. The bottom line of my approach was to highlight what we share, and not how we differ. In line with Bouteldja (2017), the horizon is to work to remove privileges and the oppression of peoples through a decolonial project, each one from our specific positionality: in my case as a white young woman, middle-class, from Spanish origin, and with an extended academic background. As other activists-academics, as well as sometimes international aid workers that conduct research (Chatterton, Fuller & Routledge, 2007), the dual role could be problematic and thus I tried to use my privilege position to advance their struggle when/if possible, for instance, joining solidarity networks with the ethnic platforms and for the implementation of the PDET. But, in turn, I have to acknowledge that having access to all these actors and information through international organizations was helpful to conduct and enrich my research.

On the one hand, coming from a Southern European country, Spain, and a well-known university environment,¹² sometimes allowed me to get access more easily to some sources of information, to find housing in Quibdó and Bogotá, and also to have the internship at the OAS and benefit from their established networks and access to information. On the other hand, being a foreigner of Spanish origin easily rose suspicion from some of the local actors that did not like that foreign people came and left their territory to extract information. Yet, most of the ethnic leaders accepted that along with my personal interests regarding the dissertation, I was also committed to help in the process from an academic and activist position as they continuously saw me in their meetings advocating for the respect of ethnic rights. Likewise, they also saw an opportunity to use my network and academic status to advocate for their rights and the implementation of the peace process with an ethnic focus. In order to attend their different activities, I always asked to the different members of the community for their permission.

Being acquainted with the organizations allowed me to explore their views on peace itself, the peace process, as well as how the social and armed conflict had affected them, not only

¹² Both my studies at the University of Coimbra and Georgetown University were an entry door for many interviews. For instance, the son of former President Andrés Pastrana had studied at Georgetown, in the same MA program, and we had acquaintances in common. Also the reference to Prof. Boaventura de Sousa Santos from Coimbra and Prof. Chernick from Georgetown University were very welcomed by many activists and social leaders.

through interviews, but also in informal conversations happening during meetings, in our boat trips to the communities, having a drink, or marching in a demonstration. Yet, I asked most of the leaders at the regional and local level for a formal interview in order to make sure which information they explicitly allowed to be written/published (and which not). In the department of Chocó, I conducted 39 interviews with members of the ethnic-territorial organizations, members of the dioceses and the church, the regional and local governments, members of the armed forces, and workers of international organizations and international non-governmental organizations.

Due to the lack of proper security conditions, most of the times I met with the local community in organized meetings and activities, rather than spontaneously traveling to their small villages. Although I did talk, share, and interview non-leaders inhabitants of the local communities, most of my conversations took place with ethnic leaders, since they were the actors involved and leading the ethnic involvement in the peace process and implementation. At the very local level, most of the times I found scarce knowledge about the Peace Agreement and its components. Yet, when these people participated in the local assemblies of the PDET, I was able to listen to their preoccupations, needs, and uncertainties, and in turn I sought to understand the power dynamics at the local level between the leaders and the basis of the organizations to incorporate them into my analysis.

In addition, in order to analyze to what extent the implementation of the Peace Agreement was considering the Ethnic Chapter, I did an ethnographic accompaniment of the design of the PDET, both at the national and the regional level in Chocó. The accompaniment of the design of the PDET in Choco took up several months and different activities (see a detailed account in Chapter 5). Among other meetings, I participated in the preliminary staff trainings of the governmental agency in charge of its implementation, the Agency for the Renewal of the Territory (*Agencia para la Renovación del Territorio*, ART), with the goal of understanding the different steps of the design phase, and being able to be of service, if needed. In fact, in the local assembly of Bojayá, due to time constraints and the need for extra help, it happened organically that I was invited to facilitate inter-ethnic dialogues and enable concertation among the afro¹³ and the indigenous people gathered there, given my neutrality among them, by helping ART workers put together a document that conflated black and indigenous views on development, with the consent of both groups. For that I

¹³ In this thesis I will use different terms to refer to black people of Colombia, replicating the same terms they use to call themselves, including 'afro(s)', black(s), afro-descendants, and afro-Colombians.

reviewed aloud each of the measures they had separately listed and saw commonalities among them, in order to integrate common ideas, while also keeping different requests, when the ethnic groups expressed different demands. I also observed the different groups discussing the list of needs they wanted to request to the government and sometimes helped to facilitate these round tables, when an extra pair of hands was needed. The communities perceived that I had an open disposition to help and ease the process with the government, and they also requested my technical support in order to systematize information, write formal letters, and edit final documents. My personal involvement was always transparent, in the sense that everybody knew that I was a PhD student, and that I was there not only to write a thesis, but also to learn with them and contribute to their cause in my capacity as an activist.

In this combination of ethnographic work with participatory-action research from a decolonial standpoint, I tried to avoid an interventionist approach; rather I tried to base my participation in an active listening of the communities' needs and requests, and on the consent of the communities. Of utmost importance was to establish relationships of trust based on transparency, being very careful of not raising expectations from my presence/work. In the same vein, my engagement with social leaders for a long period of time aimed at capturing the knowledge production – and in turn critically engage with it – that happens in the everyday social struggles, rather than taking them as a source of raw data (Choudry, 2020). It was thus also very important to understand the power relations within local organizations and be very cautious about not siding with any in particular, despite my personal relations with the social leaders.

During these months I also accompanied the indigenous and black leaders in other activities not strictly related to the PDET, such as the visit of an European Union delegation to the municipality of Tadó and Rio Quito (Chocó), to follow up the implementation of the Rio Atrato sentence (T-622), that condemned the illegal mining affecting the quality of life and the environmental and social effects of this economic activity. Furthermore, I participated in several meetings between the ethnic-territorial organizations and the Colombian Office of the High Commissioner for Peace (OACP, *Oficina del Alto Comisionado para la Paz*) and the international community about the launch of a Humanitarian Agreement, that requested both the government and the ELN to put an end to the armed conflict and respect the rights of the civilian population.

In addition, I joined a solidarity group of support to the national Ethnic Commission, made of researchers, activists, and peace workers, that offered accompaniment and support in the development of their activities and the diffusion of their communications. In this capacity, I was involved in the organization of the presentation of the first balance of the implementation of the Ethnic Chapter of the Peace Agreement that took place in Bogotá in July 2018, before the new government of President Iván Duque took power.

Apart from my work in Chocó, in order to trace the process by which the ethnic groups managed to travel to La Havana and include an Ethnic Chapter in the Peace Agreement, I traveled in various occasions to Bogotá and stayed there a total of six months in different periods to interview the different actors from the government, the FARC, and the national ethnic-territorial organizations. I interviewed a total of sixty people in Bogotá that allowed me to triangulate and contrast different sources and make sense of the key elements enabling the elaboration of the Ethnic Chapter.

Getting to talk with the demobilized FARC leaders was not an easy task due to their busy agendas and their distrust of interviews. Yet, I got in contact with and interviewed two of the FARC lawyers and civilian close collaborators that had been advising them throughout all this period since the peace negotiations started. By this way, I was able to send an interview in written to alias Jesús Santrich, one of the key negotiators of the FARC who was at that time in prison accused of continuing committing criminal activities (drug trafficking). He responded to my questionnaire by hand, and their collaborators scanned the documents and sent them to me. In addition, I interviewed five other demobilized FARC members in person.

The collection of information and its interpretation was a parallel process. The interpretation has been conducted through the analysis of institutional and ethnic community practices and discourses following a decolonial approach, based on three analytical axes: (de)coloniality of power, (de)coloniality of knowledge, and (de)coloniality of being, as it will be further detailed in chapters 1 and 2. In addition, my fellowships at three different universities during the PhD program represented a great space to discuss and get feedback from other PhD professors working on the topic of peace, decolonial, and ethnic studies. I was a visiting researcher / fellow at the Center for Latin & Latino Studies of the American University in Washington DC for nine months (January-September 2017); the Observatory of Peace of the University Jorge Tadeo Lozano in Bogotá for fifteen months (September 2017-December 2018); and the Faculty of Communications and International Relations of the University

Ramon Llull in Barcelona for six months (January-June 2019). In addition, I taught two seminars at the Fundación Universitaria Claretiana (August-November 2018) in Quibdó in which I could debate with students decoloniality in Chocó and contrast some ideas. All these stays in different international contexts and universities, as well as the teaching experiences, enriched my research and fieldwork by allowing me to contrast diverse schools of thought, put theory into practice, and draw from a diverse pool of perspectives and reflections.

Case study

In Colombia, black people represent 10,40% of the population of the country (4,3 million out of 40) and the indigenous peoples amount to 3.4% (1,4 million) (DANE, 2005). These figures are underestimated since the last census in Colombia was conducted in 2005 and is currently being updated after 14 years (Castillo *et al.*, n.d.; CNOA, 2017), and its methodology underrepresented the ethnic groups due to how questions of self-recognition were posed and to the shortfalls of the methodology applied by the survey takers (Rodríguez Morales, 2010). Afro-Colombians recognize themselves as *raizales* (inhabitants from the archipelago of San Andrés, Providencia and Santa Catalina), as *palenqueros* from San Basilio of Palenque, or as blacks, Afro-Colombians or Afro-descendant people, according to their history and geography.¹⁴ Indigenous peoples in Colombia belong to 112 different ethnic groups, according to the National Indigenous Organization of Colombia (*Organización Indígena de Colombia*, ONIC). The Ethnic Division of the Interior Ministry, however, reports the existence of 87 ethnic groups.

During the armed conflict the registry of victims of Colombia reports that out of the 8,418,405 victims registered in the armed conflict, 1,001,350 victims have self-recognized themselves as indigenous, raizal, black or afro-descendant, representing almost 12% of the total (see table 1) (RUV, 2019). However, the registry has only applied a differential focus since 2004, thus the number of ethnic people affected by the armed conflict only takes into account the last fifteen years.

¹⁴ Raizal population is “the native population of the Islands of San Andrés, Providencia and Santa Catalina descendants of the union between Europeans (mainly English, Spanish and Dutch) and African slaves. They are distinguished by their culture, language (Creole), religious beliefs (Baptist church) and historical past similar to the Antillean peoples such as Jamaicans and Haitians” (Ministry of Interior, n.d., p. 5). Palenque population is “the Afro-Colombian population that has its origin in the slaves who self-liberated from the Spanish between the XVII and XVIII centuries, establishing villages or palenques. Although there were many palenques founded by the freed slaves, the Palenque de San Basilio (the first free territory of the American continent) is the only one that currently conserves a Creole language derived from the mixture of dialects from Africa) (Ministry of Interior, n. d.).

Table 1. Ethnicity of victims registered in Colombia

ETHNICITY	PEOPLE
None ¹⁵	7,385,287
Indigenous	216,529
ROM	29,687
Not defined	0
Raizal	9,985
Black or Afrodescendent	774,836
Palenquero	2,081

Source: Registro Único de Víctimas, June 2019

Both Afro-Colombians and indigenous peoples are organized in multiple organizations and autonomous governments that represent different communities. For this project, I explored the interpretations and practices of peace of the groups that went to La Havana, under the platform Ethnic Commission, to discuss the need to include an ethnic perspective in the agreement, as well as the groups that now form the High-Level Special Instance with Ethnic Peoples, which was created by the Peace Agreement (PA) as a mechanism of representation, dialogue and monitoring of the implementation of the PA.

The Ethnic Commission platform gathers several black and indigenous organizations; the black platform CONPA (*Consejo Nacional de Paz Afrocolombiano* or Afro-Colombian Peace National Council), and the indigenous organizations ONIC, *Autoridades Tradicionales Indígenas de Colombia- Gobierno Mayor* (Traditional Indigenous Authorities of Colombia- Mayor Government), and the Indigenous Regional Council of Cauca (*Consejo Regional Indígena del Cauca*, CRIC).

CONPA is in turn a platform that was created in 2014 to represent different Afro-Colombian organizations with a common peace agenda, including the Black Communities Process (PCN, *Proceso de Comunidades Negras*), the National Conference of Afro-Colombian Organizations (CNOA, *Conferencia Nacional de Organizaciones Afrocolombianas*), the Afro-Colombian Labor Council (CLAF, *Consejo Laboral Afrocolombiano*), the Afro-Colombian National Authority (ANAFRO, *Autoridad Nacional Afrocolombiana*), the Association of Afro-Colombian Displaced People (AFRODES, *Asociación de Afrocolombianos Desplazados*), the Inter-Ethnic Solidarity Forum Choco (FISCH, *Foro Interétnico Solidaridad Chocó*), the Afro-Colombian Pastoral Dioceses of Quibdó (*Pastoral*

¹⁵ The category ‘None’ is used by the government’s agency. The term is indeed very telling of how the system homogenizes all peoples (as the discourse of the *mestizo* race does – see more on Chapter 2 – but distinguishes the ethnic categories recognized in the 1991 Constitution.

Afrocolombiana Diócesis de Quibdó), and the Kambiri Afro-Colombian Women Network (*Red de Mujeres Afrocolombianas Kambiri*).

ONIC is a national indigenous organization that represents more than 90% of the ethnic groups in Colombia. *Autoridades Tradicionales* is a national indigenous organization that was born in the department of Cauca and extended to Nariño and Pasto first, and then to the rest of the country. In addition, it also joined the Ethnic Commission and is part of the High-Level Special Instance.

In addition to the Ethnic Commission, some other ethnic groups gather in CENPAZ or the National Ethnic Peace Coordination (*Coordinación Étnica Nacional de Paz*). This platform was also created during the peace negotiations and gather different Afro-Colombians and indigenous groups that organized locally for a peace agenda with the support of the socio-political movement Patriotic March (*Marcha Patriótica*), and shared interests with peasant organizations. Within CENPAZ, there are four main organizations: CONPI (National Coordinator of Indigenous Peoples, Organizations and Leaders) and CONAFRO (National Coordination of Afro-Colombian Communities and Organizations of Colombia), FEDEMICHOCO (*Federación Minera del Chocó*, Chocó Mining Federation) and CONPAZ (Communities Building Peace in the Territory, *Comunidades Construyendo Paz en los Territorios*).

To complement the ethnic organizational views, I will bring into the discussion a local case study in order to see also the nuances between the national discourse of the ethnic organizations and the territorial view of some organizations, and also because I am looking at the implementation of the PDET at the regional and local levels. This is important not only to understand the different levels of analysis, but also to be able to contextualize the imaginaries of peace in a particular territory, with particular social, economic, cultural, and political relations. In this regard, I have chosen the department of Chocó because this is mainly an Ethnic department: 90% of its population self-recognizes itself as black, 6% as mulattos or whites, and 4% as indigenous (Gobernación del Chocó, n.d.). In addition, some of the ethnic groups of the Ethnic Commission and CONPA are based in Chocó.¹⁶ Moreover, Chocó has been strongly affected by the armed conflict since the 1990s,¹⁷ and still today,

¹⁶ The FISCH, the Afro-Colombian Pastoral Dioceses of Quibdó, and FEDEMICHOCO.

¹⁷ The Single Registry of Victims of Colombia reports 144,170 victims registered in the department of Choco, whose population is almost half million people, meaning that 1 out of 3 citizens has been affected by the armed conflict. Plus 553.009 victimizing facts (*hechos victimizantes*) – those crimes committed in the framework of the armed conflict since 1985, such as forced displacement or disappearance for instance according to Law

after the PA was signed, given that other armed groups different than the FARC continue operating in the territory. Being situated along the Pacific Coast borders with Panama and the Caribbean Coast, Chocó is a strategic place for illicit economies. With hundreds of different entries to the sea by river and creeks, the geography of this department is attractive to many illegal groups that are present in this territory to exit their merchandises easily, such as cocaine, illegal wood or gold, and enter arms. Chocó is characterized for being one of the most biodiverse territories and one of the main exporters of metals such as gold and coltan, and yet it still remains the poorest department in the country, having 79,7% of its population with at least one unsatisfied basic need, and 48,7% of its people living in extreme poverty¹⁸ (ART, 2018).

Timeframe

The project is framed manly in the four-year negotiation between the government and the FARC (2012-2016) and the first two years of the implementation of the Agreement (2016-2018). Yet, it also considers the historical context. As the project deals with peace as an unstable concept, the discussion about its ontology is about how the ethnic communities see peace now, but considering that their imaginaries of peace are historically grounded and are the product of their memories and dynamics during the conflict and back to the colony. Therefore, I also look at other historical discourses, texts, and practices that are fundamental to understand their relation to peace, conflict, and their territories. In addition, in order to understand the evolution of their identities as ethnic subjects, the research project looks back to the colonial footprints that are still present today in the Colombian society.

Language note

Almost all the interviews were conducted in Spanish (my own first language) and the majority of official statements from the government and the ethnic-territorial organizations were written in Spanish. The translations into English are my own and I have kept them in quotes when direct translations. In addition, I have directly quoted from the official English translations of the documents when available, such as the one of the PA, instead of the Spanish version.

1448 of 2011 – have taken place in the region. Data consulted on 6 June 2019 at <https://www.unidadvictimas.gov.co/es/registro-unico-de-victimas-ruv/37394>

¹⁸ According to the National Administrative Department of Statistics of Colombia, a person is in extreme monetary poverty, when her monthly income is lower than 117 thousand 605 pesos (approximately 1,20 USD per day).

e. Argument and structure of the dissertation

Drawing from this theoretical and methodological perspectives, this research argues that the inclusion of an ethnic chapter within the 2016 PA of Colombia was only possible due to the national and international mobilization of several ethnic-territorial organizations. Their capacity to internationally advocate for their rights enabled that the international community, including the US government, the United Nations, and several European countries, put pressure on the government of Colombia which accepted, in the last minute, to open a space for ethnic groups in the negotiations. As a result, the ethnic-territorial organizations managed to include an ethnic focus in the PA aimed at ensuring the effective exercise of acquired rights during the implementation phase. Yet, the inclusion of these rights in written in the text did not represent a change of the embedded colonial structures of power that have historically marginalized black and indigenous people in the country. The window of opportunity that was open during the negotiations for these ethnic organizations to accommodate their interests and needs was rapidly closed when the implementation started.

This argument is further elaborated throughout five chapters: the first one addresses the theoretical and conceptual framework, and the four others contain the analysis of the case study. In the first chapter, I introduce the theoretical framework of the dissertation, by exploring the concept of peace from a decolonial and poststructuralist perspective, focusing on its political praxis and its performative dimensions operationalized in the (re)production of identities. The chapter also delves into the dynamics of power/resistance underlying the interrelation between the liberal peace approaches and different local perspectives of peace.

The second chapter turns the focus to the case study by historically reviewing the (re)construction of ethnic identities from colonial times to present days. The chapter argues that the ethnic subject (black and indigenous) is a socially constructed concept that emerged in colonial times as a racist classification but it became instrumental for the racialized peoples themselves to affirm their particular identities versus the hegemonic national identity, both in the middle of the nation-state building process and the internal armed conflict. Through their collective memory of the colonial footprint, indigenous and black peoples have mobilized a discourse of insertion in the nation and peacebuilding processes that seeks the reparation of their identities (by contesting the colonial hierarchies and marginalization of individuals by race, class, and gender) and the respect of their ethnic rights (territorial, cultural, autonomy, self-government). This chapter sets the stage to frame

the mobilization of ethnic-territorial organizations during the latest peace negotiations in the country.

The third chapter dives into the processes and issues at stake in the resisting dynamics of black and indigenous organizations to make their voices heard in the peace. The chapter describes and analyzes how the ethnic groups established an inter-ethnic platform with national and international connections to press the government and the FARC to invite them to La Havana; and how they managed to be welcomed in La Havana and include the Ethnic Chapter;. In addition, the chapter explores the different discourses of peace that were mobilized from an ethnic perspective to shed light on what peace means and entails for ethnic groups. It is argued that the peace process represented a window of opportunity for the ethnic groups to get some space and recognition.

The fourth chapter looks into how the Ethnic Chapter was unfolded during the two first years of implementation until President Santos left Office. The chapter argues that the same structural factors that ethnic communities faced to include the Ethnic Chapter in the first place have remained the main impediments during the implementation. This argument is explored by looking into two dimensions: one deals with the setting-up for the implementation, including the consultation of the peace-related legislation, the inclusion of ethnic indicators in the Implementation Framework Plan, and the constitution of an inter-ethnic high-level panel to accompany and oversee the implementation. The second part analyzes the design of one of the peace policies of the Agreement, the Territorial-Based Development Programs (PDET) as a paramount measure to overcome the abandonment of the rural peripheries and the urban-rural divide that lies at the core of the territorial and land problems of the country, one of the main root causes of the conflict, that has also strongly impacted the development and performance of the autonomy and self-government of ethnic communities.

Finally, the fifth chapter offers a detailed perspective of how the ethnic approach of the PA has been deployed at the local level, by precisely analyzing the design of the PDET in the department of Chocó. The chapter argues that the construction of the PDET was carried out with an ethnic approach but under the territorial logic and the development model of the centralist Colombian State. Through the participatory dynamic of the PDET the Government aimed at gaining some legitimacy in the peripheries but keeping the capitalist economic model that the local rural communities reject, and under a paternalistic relationship in which

the communities become dependent on the capacity and/or will of the State to provide them, as in the past.

1. A decolonial critique of the liberal peace

This first chapter sets the theoretical and conceptual framework of the dissertation. The analysis of the ethnic dimension of peace will be done based on a combination of poststructuralist and decolonial studies in order to first question the universality of peace and introduce the variety of understandings of peace, such as the perspective of ethnic peoples, and subsequently to explore how subaltern actors challenge hegemonic discourses and practices of peace. In the first part of the chapter I introduce the main tenets of these two schools of thought and put forward how they relate to each other and are useful to interpret the case study of Colombia.

In the second part of the chapter, and drawing from these theoretical approaches, I first address the concept of the liberal peace as a modern/colonial product and discuss how different discourses of security, democracy, and political economy have been attached to the practice of liberal peacebuilding and reproduce the idea that these liberal discourses favor the consolidation of peaceful societies. Liberal peace is also studied as a performative discourse that articulates alterities/identities by reproducing the *colonial difference*, that is the difference established in colonial times by the colonizers over the colonized people creating the latter as the non-existent, but in turn a necessary exteriority.¹⁹ And second I explore how subalterns resist the liberal peace, particularly paying attention to how they confront the colonial discourses that produce hierarchies of subjectivities that have been reified and reproduced until today.

1.1. Reading the world through a poststructuralist ethos

The appeal of poststructuralism to explore the multiplicity of meanings of peace lies in its anti-essentialist and anti-foundational position. It rejects that there is an ultimate foundation or core that grounds reality; rather, any grounding is always undecidable and that instability opens the door to different possibilities, including changes and discontinuities in how social dynamics take place. This conceptualization draws from semiotics and linguistics incorporating from them two premises: first, the Derridean linguistic notion that meanings

¹⁹ Walter Mignolo coined this term along with that of the imperial difference, which differs colonizers and subjects from European and non-European empires (Mignolo, 2002). Maldonado-Torres expands the idea to talk about the *colonial heterogeneity*, which points to the heterogeneity or “diversity of forms of dehumanization based on the idea of race” (Maldonado-Torres, 2007, p. 132-133).

are discursive social constructions (Derrida, 1967 [1986]) and second, the Saussurean notion of the non-essentialist character of reality, in the sense that the attachment between the signifier (word, text, image, or sound) and the signified (meaning) is contingent and arbitrary (Saussure, 1916). This implies that there is not an objective reality with a defined meaning, or in other words meanings result from an arbitrary imposition over a signifier according to a certain “grammar or rules internal to a symbolic system” (Merlingen, 2013, p. 3). Hence the signifier is not a direct representation of that reality (Belsey, 2002, p. 10). Rather the material world out there is always subject to interpretations, and those interpretations form part of our socialization. This means that the relation of the subject to the object is not an objective one through which the subject can neutrally study the object. On the contrary, that relationship is always mediated by the existent interpretations of that reality. Those interpretations are inter-subjective in the sense that we provide meaning to it collectively, sharing and reproducing discourses. With time, those discourses tend to be reified as natural, common-sense, straightforward, and even morally correct (Williams, 2005; Howarth, 2013).

Poststructuralism was introduced in the discipline of International Relations (IR) in the 1980s by a number of authors, Richard Ashley, James Der Derian, David Campbell, Rob Walker, and Jim George, among others, who brought into the discipline the thought and methods of Michel Foucault, Jacques Derrida, Jacques Lacan, Gilles Deleuze, and Roland Barthes, among others. Poststructuralism is built upon structuralism in regard to the constructive character of social systems and the relational dynamic behind that constructivist process (Howarth, 2013, p. 122, 150-155). Both approaches deem language not only as a means of communication, but as a performative system that produces and makes sense of the social world (Phillips, 2002, p. 9). Yet, poststructuralism differs from structuralism in its rejection of any kind of systematization or scientism, considering social structures as “always incomplete and contingent orders” (Howarth, 2013, p. 152).

Within International Relations, poststructuralism questions the truths, the narratives, and the laws of nature contained in the discipline as universal, incontestable, and static. It contends that these narratives, classifications, divisions, and categories developed by the discipline to make sense of the world and structure state relations tend to reproduce a hegemonic Western and modern view of social reality that hierarchizes the European/US discourses and practices as naturally superior to those situated beyond the core. Thus, it is a critique born at the core of Europe itself to question the project of modernity, the Enlightenment, liberalism, emancipation, and other grand narratives that maintain that hierarchy between the centre and

the periphery.²⁰ It is, therefore, a meta-theory that deals with the margins, with the changes that occur in the limits, understanding the limits not as divisive lines but as open dimensions that allow for discontinuities. The ethos of this approach resides in the commitment to explore what has been hidden, marginalized, suppressed, or silenced by the hegemonic discourses or narratives and in turn reveals what interests were behind those naturalizations. In a sense, its endeavour is to de-subjugate other knowledges, truth and meanings. Campbell (2010, p. 216) refers to it as “theory as practice” since its *raison d'être* stems from the exercise of a series of instruments or methods that reveal “how knowledge, truth, and meaning are constituted” (Derian & Shapiro, 1989, p. xiii) and reconstructed in an ongoing process. The interest is not on the causes of the phenomena, since it rejects any kind of causal relationship or determinism – such as historical materialism – but to look for the conditions for radical novelty and openness (Williams, 2005, p. 13).

1.1.1. Meaning-making and changing: Discourse theory as an explanation

Taking into account the plurality of interpretations of a reality, the Argentinian author Ernesto Laclau and the Belgian scholar Chantal Mouffe developed the discourse theory or theory of hegemony in their study of the concept and the practice of populism in Argentina to describe how some particular meanings get a hegemonic position in the public debate and others are relegated or even silenced (Laclau, 1990, 1996, 2005; Laclau & Mouffe, 2014). According to discourse theory (DT), social reality is constructed through discourses and because there is an impossibility of final ground or fixation of meanings, there is also a necessity of partial fixation in order to make social life and communication possible. “The impossibility of an ultimate fixity of meaning implies that there have to be partial fixations – otherwise, the very flow of differences would be impossible” (Laclau & Mouffe, 2014, p. 98). In this regard, a totalizing or universalizing project is at the same time impossible and necessary, in the sense that there will be always room for contestation – counterhegemonic dynamics – and in turn the search for a wide consensus is pragmatic in political terms.

A *discourse*, according to DT, is the articulation of a web of meanings, an attempt to fix them, and this exercise implies the “exclusion of other meanings, and can be seen, therefore, as an exercise of power” (Jones & Rear, 2013, p. 21). In other words, a discourse is “a system of meaningful practices that form the identities of subjects and objects” (Howarth, Norval,

²⁰ The periphery does not refer to a geographical location per se but to the dependence of ‘a center’ that is occupied by the Western system.

& Stavrakakis, 2000), whose meaning is constantly negotiated and constructed. Laclau and Mouffe reject the distinction between discursive and non-discursive elements, as Foucault did in his first works (Laclau, 2005, p. 13; Müller, 2008). Actions, movements, practices, objects are also discursive elements since their meaning or value is given through language as well. Discourse is both seen as language and practice; being practices both “significant and signifying in the reproduction of discourses” (Müller, 2008, p. 324).

They also introduce the concept of *empty signifier* or *nodal points* to refer to the signifiers that occupy a privileged position within discourses (Laclau & Mouffe, 2014, p. 99). Empty signifiers refer to those signifiers that gather multiple particular demands and represent them in a universal or hegemonic way. Hence, the particular assumes a universal role that “can only be precarious and unsaturated” (Kaplan, 2010, p. 257; Laclau, 1996, p. 15). Boaventura de Sousa Santos (2015) adds that the signifier is not empty but rather has been *emptied* by hegemonic powers that aimed at imposing a univocal one.

The imposition of one meaning and the exclusion of others through articulation is considered a hegemonic practice (in the Gramscian sense), through which discourses then become naturalized as being part of the ‘common sense’, as it happened with liberal peace. The hegemonic operation implies the articulation of many subject positions under the same imaginary or common horizon (Howarth, Norval, & Stavrakakis, 2000). *Hegemony* is therefore an operation through which a particularity, or many, assumes a precarious universal position. The fixation of meanings within discourses is always temporal and subject to change, and that is what, from a political point of view, explains why and how political change happens. This implies that the hegemonic articulation is in fact contingent, although the process of hegemony behind a particular predominant discourse tends to be concealed in order to be naturalized. As Torfing highlights,

deconstruction and *hegemony* are intrinsically linked in the sense that they constitute the two complementary and reciprocal movements that link decidability with undecidability and vice versa. Whereas hegemony brings us from undecidability to decidability, deconstruction shows the contingent and constitutive character of decidable hegemonic articulations by revealing the undecidability of the decision (1999, p. 103).

Using the DT approach to analyze the concept of peace allows me to question the universality associated with the concept of peace, particularly the hegemonic views of the liberal peace, by highlighting the instability of those discourses and the violence or repression implicit in the hegemonic operations. DT underscores relations of power and resistance in place, and how these get transformed by the same dynamic. The

deconstruction²¹ of the discourses of the liberal peace (and war) help to identify the juncture points in which a particular discourse was sutured and how that operation of closure was relegated from the public view. It also helps recovering those hidden or neglected discourses that contest the hegemonic view and how discourses also play a role in the configuration of identities, their (re)production or negation.

1.2. Decolonial studies and situated knowledge

Decolonial and postcolonial studies deal with how the structures of power and social hierarchies established during colonial times still pervade and are reproduced in social, political, and economic relations after the period of historical colonialism. This happens because the colonial thought based on Eurocentrism keeps a hegemonic position that reproduces the logic of the interests, views and practices of particular groups that occupy the elitist segment of society (the privileges of the white male European man). The difference between these two schools of thought resides in the *locus enunciates* of each school, that is the position from which social reality is questioned.

Postcolonial studies were developed in British and American academy by Indian scholars such as Homi Bhabha, Gayatri Spivak and Ranahit Guha who posed the idea that, with the political independence of India, colonialism has not finished, and continues to be reproduced by the Indian national elites in the country. These elites reproduce the same modern values of the colonizers and silence or omit the voices of heterogenous subaltern subjects.

Decolonial authors, on their side, situate the critique of persisting colonialism in the Latin American context, where former Spanish colonies gained independence from Spain in the nineteenth century, and “the resulting postcolonial nation-states [are] ruled predominantly by white criollos who [have] developed internal colonial regimes with respect to the Indians, the slaves of African descent, the mestizo or mulatto peasantry, and the nascent proletariats” (Latin American Subaltern Studies Group, 1994).

The decolonial author Mignolo (2000, p. 92), in particular, talks about different critiques of the modern reason that vary according to the *loci*: the postmodern critique questions the

²¹ Following Derrida, the method of deconstruction implies three movements: first, identifying dichotomies that structure the world in pairs in which one of the terms is always considered hierarchically superior and positive in comparison with the other, as in the binaries West/East, us/them, First World/Third World, North/South, and Peace/war. After identification, a second step would be to reverse the hierarchy of the binary and a third, to undo the pairing.

modern project from the core of Europe and the United States; postcolonial critique, from the experience of former colonies that got independence after the Second World War from British colonialism, like India; post-Orientalism, from local realities of Middle Eastern countries; and post-occidental reason, from Latin American contexts, which first writings date back to the first decades of the 20th century (Mignolo, 2002). From this latter positionality, various Latin American authors²² published a *Manifiesto Inaugural* (1994) of Latin American Subaltern Studies Group to position their particular locus.

These authors have largely worked with the concept of modernity/coloniality that was first coined by Quijano (2003), drawing from black Marxists – as explains Grosfoguel (2018)²³ – to refer to the ordering of the world in a center-periphery system since the 16th century, when Spain became the center of the world system when it conquered the land and peoples of Abya Yala, today Latin America (see also Castro-Gómez, 2005a). As Quijano argues, modernity can only be understood through colonialism, as they are part of the same phenomenon. From the violent encounter of these two worlds, an ontological, epistemic, and praxis based on European values placed itself in a universal status and started to define particular subjectivities, knowledges, languages, practices, social sciences, political structures, and economic relations as the ‘only one’ (Mignolo, 2000). That paradigm of control determined itself by opposition to its exteriority, primarily the ‘Western Indies’, where coloniality (Quijano, 2000) and the colonial difference (Mignolo, 2002) were imposed.

Coloniality is understood as a “colonial matrix of power” (Mignolo & Tlostanova, 2012) that was established during the historical colonial period and continues to operate in the post-colonial states, affecting the constitution of subjectivities, the production of knowledges, the habitus of the colonial subjects, as well as their ways of doing (see Mignolo, 2007, 2006; Martínez-Andrade, 2008; Palermo, 2010; Castro-Gómez, 2000 and 2007; Quijano, 2007 and 2000b; Maldonado-Torres, 2007). The coloniality of power is based on the hierarchical stratification of the population, established in terms of humanity, in order to govern them; thus, Europeans were placed at the top of the ladder, and those living in the conquered land and those brought from Africa as enslaved people were seen as the ‘other’ at the bottom.

²² In an important debate here is that many of the decolonial authors from Latin America are working in US universities and that has raised the question to what extent they can talk on behalf of or be considered as subalterns. See more on Fernández Nadal, 2011.

²³ Grosfoguel criticizes that Quijano has not fully acknowledged these influences on his work.

The colonial difference precisely refers to the practice of *otherness* that created marks of difference between the ‘so perceived’ white elite originally from Spain or Spanish-descendants and those ‘tainted by the earth’ whose blood was deemed not pure (Castro-Gómez, 2005b). Quijano (2000, 2007) has thoroughly explained the process of formation of ‘race’ as the structural column that sustains the colonial/modern system. In turn, that racial classification translated into the production of knowledges that reified such *colonial difference*. Thus, the Eurocentric and modern scientific knowledge was seen as superior and more advanced than that of the considered ‘primitive, uncivilized and barbarian’ colonial subjects. As a result, the coloniality of power/knowledge was naturalized to the point that many colonial subjects internalized – as well as instrumentalized – the modern imaginary in their beings, for instance, aspiring to whitening by scaling up in the social ladder, rejecting their languages, knowledges, cultures and practices, and accommodating to the dispositive of power established during the colony and reproduced after independence. In Republican times the colonial difference has been reproduced through politics of identity under the discourse of integrating those racialized and marginalized subalterns, but many times as a way to control social mobilization for more rights (Wade, 2010).

Thus, by coloniality of power/knowledge/being in this dissertation, I refer to the colonial matrix of power that established a racial classification that traversed all dimensions of social life, including the political, economic, and cultural relations, and that also was enmeshed in the bodies and minds of the people (both racialized and non-racialized subjects) in post-colonial times. By decoloniality therefore is understood the process that tries to erode and surpass those power structures and opens room for alternative ways of living/knowing/being.

1.3. Poststructuralism and decolonial studies in dialogue

In this study, poststructuralist and decolonial thoughts are combined in order to explain how discourses and practices of peace (and war) re-produce certain subjectivities that were first imposed during colonial times and later reproduced and naturalized. In order to do that, I use the precepts of discourse theory to explain the openness of meanings and how they get closed in particular junctures of time through hegemonic articulations. And, in addition, I draw from decolonial studies to explore how subaltern actors defy those hegemonic discourses and make room for alternative modes of making and building peace. Poststructuralism is also helpful to explain how the (re)production of identities happens (see section 1.6.1.) and decolonial studies offers a framework to understand the world-system in which certain

identities are produced to keep some hierarchies and the status quo that privileges the elites. As both schools deal with the margins and the livings and experiences in the interstices, they both are useful to analyze not only the dynamics of power at the macro level (dependence theory between center-periphery, exploitation, conquest, dispossession) but also the meso level (governmentality of the state over the population to make it fit in a particular modern standard of being) and at the micro level (embodiment of the colonial habitus).

In this line, when we look to the promotion of peace in the periphery of the modern/colonial system, peace acts as an *empty(ied) signifier*, whose vacuum has been filled by the hegemonic discourse of the liberal peace after the end of the Cold War. The openness of the ontological dimension of peace is related to the lack of a grounding essence. Poststructuralism questions the essentialist view of an ultimate and universal peace, whether this is obtained through democracy, institutions, free-trade, international law, social justice, or emancipation (Richmond, 2008). Likewise, the metanarrative of the ‘inevitability of war’ is also put into question: war is seen as a product of power relations, challenging the essentialism of war as a given (Foucault, 1997; Jabri, 1996, 2006). Both meanings and discourses of peace and war are the result of social constructions, constituted by relational processes and hegemonic dynamics. Thus, to understand the plurality of peaces, we need to consider that there are as many peaces as there are peoples, cultures, and contexts.

In this line, the combination of poststructuralism with decolonialism allows us to focus on the power dynamics involved in the many definitions of peace: thus, those with the ability and means to secure a critical mass of support to temporarily fix a particular meaning of peace, in a particular context, from a particular class and gender perspective, and in a particular geographical area. The hegemonic movement has implications in practice, such as in the implementation of policies, the definition of peace agreements, the peacebuilding process and so forth, and implies the neglect of a plurality of alternative peaces, that are produced as non-existent.²⁴ In turn, the openness of meanings allows space to counter-hegemonic movements and practices. The decolonial approach allows to explore how the coloniality of power/knowledge/being first became hegemonic, but has also been resisted from the bottom, and in turn, opened room to explore new possibilities of co-existence of a plurality of worldviews, peace dynamics, ways of being and feeling.

²⁴ According to Santos, non-existence is produced when an entity is disqualified and considered invisible, non-comprehensible, and disposable (Santos, 2010, p.22).

1.4. Liberal peace as a modern/colonial product

The global discursive articulation of liberal peace as hegemonic appeared after the end of the Cold War as seen in the introduction, but it has its roots in the constitution of the modernity/coloniality paradigm. Liberal peace is seen as a hegemonic articulation that reproduces the coloniality of power that is still present in the global Western-modern system, and that currently essentializes capitalism, neoliberalism, and security of the nation-state as its trident. Defined as a top-down intervention, mainly imposed by liberal institutions of the international system, liberal peace is based on the idea that liberal democracy, economic development, individual human rights, global governance, rule of law, and neoliberal free markets ensure social progress, stability, and security as part of the matrix of peace (Richmond, 2008, p. 8-14). The naturalization of this discourse is understood as part of the liberal project which draws from modern and colonial thought, and praises individualism, rationality, equality, free trade, international treaties, and institutions as its core values (Duffield, 2007; Mac Ginty, 2010; MacGinty & Richmond, 2013; Paris, 2002; Pugh, 2005).

In the 1990s the United Nations, and other international organizations that followed suited, adopted some concepts developed by Johan Galtung in Peace Studies such as preventive diplomacy, peacemaking, peacekeeping and peacebuilding, and narrowed them down to a one-size-fits-all paradigm of intervention in the armed conflicts of the periphery. This model was based on Galtung's proposal of positive peace (1964, 1969) since the proposal was not only to achieve a ceasefire and put an end to the armed conflict, but also to prevent conflict from resuming by addressing its root causes. In this vein, *The Agenda for Peace* that the General Secretary of the United Nations Boutros Ghali introduced in 1992 took these ideas and developed an agenda for peacebuilding in war-torn countries that would take into account economic inequalities, social injustice and political oppression (Benavides Vanegas, 2010). Yet, the foreign interventions that followed worked under political and economic conditionalities that favored the interests of these institutions and Western countries (Paris, 1997), thus neglecting that the blueprint of colonialism very often underlies the roots of the conflict, including the coloniality of power/knowledge/being that traverses the ongoing nation-state building process, the antagonisms of identities/alterities, the division of labor force and the control of means and modes of production.

The promotion and exportation of this model into the periphery, that is in post-colonial states, implies the reproduction of coloniality, by keeping the bases and ideology of the

modern/colonial system that establishes profound abyssal lines²⁵ between those that fit into the hegemonic standard and those that not. The modern project of liberal peacebuilding has also been used by national elites to perpetuate a political, economic, and social *status quo* against the racialized other.

Through decolonial thought and discourse theory, I now turn to deconstruct some of the core elements of the liberal peace to show its particularism, instability, and colonial matrix.

1.5. Democracy, security, and development as floating signifiers of peace

The term *floating signifiers*, from DT, allow us to explore how discourses of liberal peace articulate and naturalize several other meanings/discourses around itself. Thus, liberal peace is a nodal point in the discourse that gives meaning to other signifiers, called *floating signifiers*, that are articulated in the same discourse. Floating signifiers are considered signifiers which gain different meanings in different contexts (or discourses). For instance, signifiers such as democracy, security, and development, among others, are overdetermined meanings, in the sense that they have many different understandings depending on the context they are used or how they are mobilized; yet, that over-determination gets restricted when attached to a particular nodal point. For instance, development is interpreted as economic growth when attached to a discourse of liberal peace but could be seen as the means to secure particular forms of living when referring to a particular local peace.

1.5.1. Deconstructing the perpetual democratic peace

The hegemonic discourse of liberal peace rests on the assumption that the democratization of war-torn societies would bring stability, respect for human rights, rule of law, and an efficient market economy. The goodness of democracy is taken for granted and exported as the solution to the periphery (Iraq and Afghanistan, recently) under the promise of a perpetual peace (Mignolo, 2008). From an international point of view, the expansion of democracy is expected to also bring stability at the international level by preventing the wage of war between similar systems of government (hypothesis of the democratic peace theory).²⁶ The articulation of the hypothesis draws from the modern Kantian ideal of a

²⁵ The concept of 'abyssal line' was developed by Boaventura de Sousa Santos and multiple decolonial thinkers to refer to the "system of visible and invisible distinctions, the latter constituting the foundation of the former. The invisible distinctions are established through radical lines that divide social reality into two universes: the universe 'on this side of the line' and the universe on the 'other side of the line'" (Santos, 2014, p. 21).

²⁶ It holds that look alike systems of government, in this case democracies, are unlikely to fight each other because they share the same values and goals and can easily negotiate and look for consensus, while non-

‘perpetual peace,’ which would be achieved among democratic states, republics, that share the same values and norms, and submit cooperatively to international treaties. Peace is seen hence as the modern phenomenon that overcomes war and the irrational (Jabri, 2010, p. 67).

This hegemonic metanarrative precludes the contingent, historical, and normative aspects related to its configuration. The historicizing of the concepts included in the democratic peace theory, those of war and democracy, allows to see that the democratic peace theory takes democracy and war as trans-historical concepts, neglecting their different meanings and variation across time and place, the contexts in which these concepts gained meaning, and how it has evolved (Barkawi & Laffey, 1999). For instance, globalization has worked as a historical process that helped to expand the democratic values. Likewise, “global processes of colonization and decolonization had a direct impact in the development of democracy as a form of social and political organization” (Barkawi and Laffey, 1999, p. 409). Precisely in Latin-America, the notion of democracy and democratizations processes have been attached to the modernization project (Dussel, 2006; Mignolo, 2008; & Quijano, 2001). Not only global processes have set the conditions for the expansion of democracy and war, but also the internal realities of each country.

In addition, the democratic peace theory reproduces the modern/colonial project of the nation-state. The state seems to be the articulator of democracy and peace, which implies a top-down perspective, neglecting the alternative voices building or promoting peace and democracy at the regional, local or community levels. In particular, those models of democracy and peace tend to follow the standards of democracy “set by a comparison with the United States and Europe as democracies *par excellence*” (Morozov, 2013, p. 9). The Western hegemonic view of democracy based on good governance is another hegemonic articulation that excludes the plurality of democratic models (demodiversity, as coined by Santos & Mendes, 2016) and the deepening of democracy through more civil participation, and less exclusion of minorities. For instance, plurinational approaches such as the one of Ecuador and Bolivia represent a challenge to the univocal, and sometimes repressive, nation-state that tends to assimilate but not recognize other nations, peoples, and cultures (see Santos, 2010). Thus, from a decolonial point of view, the binary democratic/non-democratic states is another discourse of control of the periphery according to the modern/colonial project.

democratic states, and democratic and non-democratic states, would not have the same incentives not to wage war against each other. See Russett (1993) and Doyle (2011).

Likewise, the artificial construction of States as natural politico-judicial entities of the anarchical international system enables the emergence of abyssal lines between national/international, citizen/non-citizen, civilized/barbarian (Walker, 1993), that respond to the logics of state actors in order to reproduce itself and be preserved as a closed entity, but in turn affects the lives of the population by privileging/excluding particular segments. In this vein, the articulation of peace by the state tends to reproduce predetermined or readymade identities and classifications (Guillaume, 2005) that are grouped between friend/adversary categories, neglecting the plurality of views, self-governance and autonomy rights of ethnic peoples.

1.5.2. Deconstructing the Political Economy of Peace

Along with the democratic system, one of the floating signifiers that is articulated around liberal peace and in turn gets signified by it, is the idea of development and economic growth associated with the post-conflict era. The premise is that the lack of violence would attract more private investments, open room for new businesses, and the costs of operations in terms of security would go down, rendering wider margins of profits – even though there are always actors that profit from the conflict and even try to spoil peace processes in order to keep the *status quo* of war that favors their economic interests. In addition, the greater economic interdependence among countries, as a result, also works as a securing mechanism against international war since open economies that are interlinked in a globalized world through open markets are less likely to fight each other. Yet, this metanarrative that affirms that peace dividends will bring about economic growth neglects the structural violence embedded in the capitalist system that privileges economic growth over the reduction of inequality. In addition, many economic reforms promoted in the peacebuilding phase are linked to economic interests from the North, thus creating more dependency of the periphery (Pugh, 2005; Pugh, Cooper & Turner, 2008). Many times, the economic reforms are put in place without considering the local economies and alternative development projects. As a result, these local initiatives do not receive any resources and get suffocated by the hegemonic economic model.

In many occasions, the neoliberal model of peacebuilding tends to benefit the elites involved in waging the conflict in the first place and “exacerbates the marginalization of grassroots grievances” (Richmond, 2005, p. 294; Ahearne, 2009), reinforcing the coloniality of power. In addition, the resurgence of violence in the post-conflict period many times is related to the process of accumulation and rapid economic growth (Ahearne, 2009; Selby, 2008). In

addition, the arrival of peace can ease the security conditions for multinational companies to invest in territories of peasants, indigenous, and black people, that during the war were preserved, as will be explored in chapter 5.

In this sense and in line with post-development theory,²⁷ I also argue that the articulation of discourses linking peace and development hide the interests of the elites and changes the modern/colonial discourse of ‘civilized/uncivilized’ to that of ‘developed/underdeveloped’, reinforcing the coloniality of the being. Development is another modern/Western social construction that serves the political and economic power to keep their dominant role at the expense of the invented subject, “the underdeveloped”, usually equated with the colonial and racialized subject, be it indigenous, black, or peasants, in the Americas (Escobar, 1995). The rational logic of progress is imbricated in the discourse of development and it implies that the modern and scientific reason has “a fundamental role in the improvement of human existence in almost all its dimensions” (Escobar, 2000, p. 43). As a result, all alternative development initiatives are downgraded and rejected by the hegemonic view of the capitalist system.

That knowledge and practices of development in turn get to shape identities based in the artificial contraposition between the modern and the traditional world. That binary thought institutionalizes alterities through a division between ‘us’ – modern, scientific, secular, capitalist – and ‘them’ – underdeveloped, traditional, religious, communitarian – reinforcing the coloniality of being. By concealing the exploitation and oppression imposed in those excluded from the system, the underdeveloped identity has been associated with the idea that there is a prevalence of conflict or war-related attitudes among the poor people, communities or countries. This association serves to hide the power dynamics involved in the impoverishment of those peoples.

Both decolonial thought and post-development analysis uncover the interests behind the knowledges that subjugate the colonized and underdeveloped people and keep a system based on asymmetrical power relations through coloniality of power (Omar, 2012; Sharp & Briggs, 2006). Of particular importance for the discourse analysis of peace and development is the epistemological gap that exists between those in power positions and outside of them, because when subalterns try to talk about their development with the neoliberal institutions or actors, they do not use the same scientific frameworks, and the lack of intercultural

²⁷ See *The Development Dictionary* (Sachs, 1992); *Encountering Development* (Escobar, 1995); and *The Post-development Reader* (Rahnema & Bawtree, 1997).

translation between epistemic constructions or knowledges impedes a horizontal dialogue (Santos, 2002, 2007). In this vein, I contend that the liberal peace assimilates the ‘other’ rather than understanding it and establishing an intercultural dialogue.

A particular example is the conception of Good Living, or *buen vivir* in Spanish, a term that refers to a totally different understanding of development and that is used mainly by ethnic, rural, and peasant communities in Latin America. That signifier questions the linear growth, progress, extractive models and other forms of accumulation, and introduces a different world view that values food sovereignty, self-governance, autonomy, harmony with nature and the territory, and defense of the land of the peoples. The resisting narrative of *buen vivir* means the defense of the territory against the extractive multinationals that cause violence, displacement of people from their territories, pollution of territory and water, and jeopardizes food sovereignty of the communities. As Escobar (2014) puts it, the environmental and social conflicts are not only a struggle for their territory against the extractive industry, but also a defense of their conceptions of living: they constitute an ‘ontological struggle’ (Escobar, 2014, p. 95; see also 1998).

Avoiding the perils of romanticizing local narratives, it is important to remark that local knowledge is not essentially a superior epistemology; rather the decolonial take tries to reveal other significations of peace and development, rejecting the one-world view as universal and opening the space to different alternatives that are not dichotomized or subordinated to the privileged (western) one. The exploration of the contesting alternative narratives of *buen vivir* linked to a particular kind of social-environmental peace highlights the agency as well as the limitations of those local peoples to defy the hegemonic liberal articulations of peace and development.

1.5.3. Deconstructing the securitization of peace

The discourses of development have also been interlinked with those of security and peace. The mantra “you cannot have development without security or security without development’ has become a truism of the post-Cold War period” (Duffield, 2010, p. 66). This liberal premise has shaped one of the core foundations of liberal peace: the nexus development-security (Dillon & Reid, 2009), which was consolidated in the 1990s when the narrow economic dimension of development restricted to economic growth was widened by the United Nations Development Program (1994) taking a people-centered approach, as it did the concept of security, which adopted the adjective ‘human’ security to include many

other dimensions (economic, food, personal, health, environmental, community, political security) (UN Trust Fund for Human Security, 2003).

Yet, the discourse of the nexus security-development is not a new pattern; since colonial times, the ‘uncivilized’ and ‘barbarians’ were seen as a menace to the security of the patterns of accumulation of the colony, and therefore they were disciplined through behavioral manuals, evangelization, and forced work (Castro-Gómez, 2000; Segato, 2007; Martínez-Andrade, 2008). More recently, in the 20th century, the US launched the anti-poverty strategy called “Alliance for Progress” in the 1960s, aiming at tackling poverty in Latin America as it was perceived to be the hotbed of communism (Meyer, 2016). Seen as a focus of insecurity, poverty has been treated as a threat to be securitized by governments (Hadiwinata, 2004). Hence, development has been attached to security while underdevelopment has been equated with insecurity (Duffield, 2001). The link between poverty, security and development is also present in many other security phenomena such as terrorism, organized crime, drug trafficking, and migration.

In many of these cases, the discourses of security render themselves in insecurity performances – that is, practices that bring about insecurity for civilians (Echavarria, 2010, p. 4). Many times, civil peace is derived from practices of war to control and administrate life and death, and the population in general. In this regard, the waging of war and peace have been interpreted as biopolitical governmentalities, deeming that the liberal way of war works as *necropolitics*, implying that the liberal modern state determines what life means, and what type of life should live (Dillon & Reid, 2009) and die (Mbembé & Meintjes, 2003). Thus, liberal power pursues security through a series of techniques derived from war that penetrate and organize liberal subjects (Reid, 2004). The underlying critique is that liberal war is justified as a mechanism to bring about liberal peace, and often deploys a perpetual war.

The decoloniality of peace implies, in the first place, to undo the cooption of the notion of peace by security, and unmake the pair security-peace as synonymous (Echevarria, 2010). Through this hegemonic articulation, security becomes a dispositive of governmentality, in a Foucauldian sense²⁸. The knowledge and practices of security articulated by the elites to dominate the ‘others’ render more insecurity; thus, “security and insecurity are mutually

²⁸ Governmentality is defined as “The ensemble formed by institutions, procedures, analysis and reflections, the calculations and tactics that allow the exercise of this very specific albeit complex form of power [biopolitics], which has as its target population, as its principal form of knowledge political economy, and as its essential technical means apparatuses of security” (Foucault, 1997, p. 219-220).

constituted through elite knowledge and routinized bureaucratic practices” (Collective, C.A.S.E., 2006, p. 457). As a discursive formation with performative character, uttering security has implications in social life and affects the construction of subjectivities. Security practices²⁹ thus, are also part of the coloniality of power/knowledge/being that builds the core as secure and the periphery, as insecure.

From a decolonial point of view, the referent objects of security had to be widened and include other non-state actors and place the individual, and also the community, as the minimum unit of analysis, as critical theorists of security have done (Booth, 2004; Fierke, 2007; Smith, 1999; Buzan, Wæver, & Wilde, 1998, p. 3-14; Hansen, 2006, 1997); but must also incorporate the local people as performers and thinkers of security, rather than only as units of reception. Plus, a decolonial take on peace implies that the colonial subjects are re-signified as non-security problems, and taken to be part of the solution.³⁰

1.6. Resisting the liberal peace

Through the coloniality of power/knowledge/being of the liberal peace, discourses of peace, security, development, and democracy (re)produce certain identities³¹ and alterities, reinserting the colonial footprint through the subjects and their bodies. This means that peace as a discourse is relational and performative. Indeed, both discourses of peace and war are intimately constitutive and constituted of/by discourses of the self and the other. In this section, I address how subalterns resist the reification/reproduction of the colonial difference that is embedded in the liberal peace. As seen before, the nation-state is a colonial discursive dispositive (Serje, 2005) that serves to naturalize the coloniality of power/knowledge/being through internal colonialism after independence (Accossatto, 2017; González Casanova, 2006). In the case of Latin America, internal colonialism instituted a discourse of mixed-

²⁹ Huysmans (2006) addresses the debate of the political work of the signifier “security”. The author argues that security practice is a technique of government in Foucauldian terms, understood as the political product of a ‘security rationality’, which is a frame that invests “a politically and socially instituted historical structure of security meanings” (Huysmans, 2006, p. 6).

³⁰ For instance, indigenous, and also some black, organizations in Colombia have developed their own unarmed self-defense systems (indigenous and *cimarrona* guards), as a way of protection of their communities and territories; although the Peace Agreement has acknowledged their existence and promote its strengthening in paper, the hegemonic security lenses occludes these alternative approaches

³¹ Instead of talking of ‘an’ identity of the subject, the subject occupies specific different subject positions within discourses. Poststructuralist authors introduce this idea of subject position (Laclau & Mouffe, 2014, p. 115) or acts of identification (Bucher & Jasper, 2017) precisely to deconstruct the idea that identities are homogenous and rounded totalities that pre-exist discourses. Subjects do not have ‘an’ identity, but they embody/perform different identities understood as subject positions (Torfing, 1999, p. 52).

race (*mestizaje*) that occludes the diversity of the population, and excluded those at the bottom of the social ladder established since the social stratification of the colony.

The production of subjectivities emanates from two sources of power: the hegemonic power of the modern worldview (including the liberal peace) that classifies people between developed/underdeveloped, civilized/uncivilized, ethnic/white, threat/ally, etc.; and the disciplinary power that, in line with the hegemonic ideology, imprints the subjects and bodies through the production of knowledges and the exercise of practices in order to make them fit in the dualistic and standardized worldview.³² In this context, local peoples have resisted the hegemonic liberal peace, through the development of alternative daily practices (McGee, 2017; Barreto, 2013; Richmond, 2011b), different knowledges, and ontological policies (Escobar, 2012, 2015) that challenge the disciplinary power of the liberal peace. However, I try to go beyond those studies that reify or romanticize local peaces as contained realities that can be articulated in total coexistence within a pluriverse, for not considering the matrix of colonial power that traverses them and their interrelations with the hegemonic practice of peace. In a sense, these approaches may depoliticize the dynamics of peace by neglecting the power relations at play among different interpretations of peace, even when they can coexist or get along. Many of these particulars develop their notion of peace in contrast to or in opposition to that of the neoliberal state and, therefore, the particular perspective can only be understood by considering the other, and that both are co-constitutive.

1.6.1. Subjectivation through peace and war discourses

Discourses of peace and war are intimately related to discourses about us and them. Such discourses affect, shape, produce, and reproduce identities about ‘the self(ves)’ and ‘the other(s).’ In turn, those discursive identities have the agency and capacity to affect, shape, produce, and reproduce narratives of war and peace. The subject is exposed to multiple discourses and has the capacity to reproduce, embody, but also transform and change them in totally different ways. The ability to transform subjectivities is linked to their performative character that implies the repetition or *iterability* – in Derridean terms – of a particular discourse (Butler, 1990, p. xxv; Edkins & Pin-Fat, 1999, p. 8). The subject performs or reproduces over time particular practices associated with discourses of identities; the need

³² The disciplinary power, as a result, leads to the normalization of determined practices, norms, behaviors and rules (Foucault, 1980, p. 92). This process of normalization through the development of bio-power or bio-politics has been related to the emergence of the capitalist system as it serves to domesticate bodies and imbricate them in the “machinery of production” (Merlingen, 2013, p. 8).

for continuous repetition shows that there is not an inherent identity that is expressed but rather a person needs to reproduce those practices in an ongoing basis to reaffirm a particular identity. In that repetition, there is space for creativity, for exploring new ways, new forms, new practices: there is space for agency, for “re-embodiment of the subjectivating norm” (Butler, 1997b, p. 100; see also 1990, 1997a, 2004; Butler & Athanasiou, 2013; Kelz, 2015).

In a way, identities are practices of signification open to resignification and re-contextualization. The bodies are not seen as inert masses but as fields of power, interconnected to their minds, and “invested by power relations” (Shawn and Shapiro, 2011, p. 32); and at the same time as enablers of sites of resistance (Shinko, 2012). The embodiment of resistance refers to the body as a space of confrontation to the infliction of power and for the enactment of power as well. The dynamics of resistance, as a result, produce new subject-positions within subjectivities, which evolve and are open to modifications.

In addition, the relational character of identities implies that are constructed in opposition to other subjects/objects. In discourses of war, the construction of the Other is often positioned as “a radically threatening Other,” creating as a result divisive or abyssal lines between the self and the other (Connolly, 1991). A common political practice is to conceal the hegemonic and exclusionary operation behind the abyssal lines in order to present those lines as natural. Therefore, the process that naturalizes the construction of identities and differences is political and always reversible. In addition, the idea of a unique radical Otherness is also a construction; the fact is that “identity construction involves not a single Other-Self dichotomy but a series of related yet slightly different juxtapositions” (Hansen, 2006, p. 33). Thus, there is the possibility of a variety of non-selves, in addition to the extreme Other, seen as the most different one. The study of the degrees of otherness in a particular war or peace discourse also contributes to deconstruct the reification of the abyssal lines between ‘us’ and ‘them.’

Discourses about us/them tend to be naturalized in times of war in order to create loyalties, as well as justifications for waging war and protracting it. The counter-hegemonic or resistance discourses are then portrayed “as deviant or unnatural” (Torfing, 1999, p. 123). The same happens in times of peace, and those who oppose the hegemonic view are considered a threat. This play of labels to identify and represent the other in peace and war discourses is enmeshed in a dynamic of power and resistance common to hegemonic

practices of articulation. Drawing from Foucault, as Butler states, the subject is produced by power relations and in turn productive of power relations (Butler, 1997b, p. 10).

Both the meanings of peace (and war) and identities are constantly renegotiated in a related process. Those constructions or perceptions of the ‘Other’ get a meaning or another depending on the power relations at play to articulate a dominant discourse. Foucault’s genealogy of the liberal war shows how race has been used to separate society into two categories, locating the Western, civilized race as intrinsically superior to the other, considered as an enemy or adversary:

“peace itself is a coded war. We are therefore at war with one another; a battlefield runs through the whole of society, continuously and permanently, and it is this battlefield that puts us all on one side or the other. There is no such thing as a neutral subject. We are all inevitably someone’s adversary” (Foucault, 1977, p. 51).

While the poststructuralist author Foucault situated the beginning of the control of subjectivity in the 18th century, from his European situated knowledge, Latin American decolonial works locate it in the 16th century (Castro-Gómez, 2005, p. 57-58). The conquest of the ‘Western Indies’ represented not only the dispossession of land but also the dispossession of identities of both native peoples and people brought from Africa as slaves. That rationality of war against the other became a “routinized pattern of symbolic violence” that constituted “the modern alterity of the indigenous [and black] as the internal enemy and the nemesis of the modern civilizing project” (Espinosa, 2007, p. 270). The liberal peace, aiming to imprint the modernity project in the periphery (of the world system and at the interior of a postcolonial country), thus, reproduces the colonial difference of the racialized subject. This liberal project aims at expanding the legitimacy of the government and the sovereignty of the nation-state to the confines of the national territory by reproducing the exclusionary patterns of a univocal nation-state.

1.6.2. Pluriversal and counter-hegemonic resistance

Since colonial times, the articulation of hegemonic worldviews and its constitutive side of coloniality of power/knowledge/being have faced a multiplicity of resisting practices, knowledges, as well as ontologies or ways of being. Likewise, a plurality of alternative, local, situated, and particular peaces have emerged in opposition to liberal peace discourses and practices. Given the shortcomings and failures of many liberal peace interventions, the international organizations started to put an emphasis on the engagement of the locals. Regarding peacemaking, the involvement of civil society in the resolution of the conflict was deemed important for them to own the process during post-conflict, to align local and

state interests, to increase the legitimacy of the agreements and the durability of peace in the post-conflict era (van Leeuwen & Verkoren, 2012; Nilsson, 2012); as well as “to agree new political, constitutional and economic arrangements to address the underlying conflict” (Barnes, 2000, p. 1). Citizen participation could take different forms: representative participation through political parties, consultative mechanisms to share opinions and make recommendations, and direct participation (Barnes, 2000, p. 8).

However, those attempts to include local people most of the times remained symbolic gestures and implied cooption strategies. In general, the international-supported peace operations tend to impose Western methods that limit “the space for alternative approaches to peace-making and that, rather than a co-existence of both forms of peace-making, we are more likely to see the co-option of indigenous and traditional approaches by Western approaches” (Mac Ginty, 2008, p. 139). The involvement of the local may become a checklist point but there is not a deep reflection on what are the different views in place (epistemologies) and which could be the points of rapprochement (intercultural translation) and/or co-existence (pluriversality). Yet, as Richmond (2015, 2011) points out, liberal peace is always contested and accommodated at the local level, bringing about hybrid forms of peace that intertwine the international model of peace and the grassroots understandings of peace.

During the peacebuilding phase, the involvement of social sectors is seen as a way to increase peacebuilding effectiveness, and also boost decentralization and local capacity and ownership (Leonardsson & Rudd, 2015). From a more critical perspective, rather than technical, the involvement of civilians could also represent a “means of emancipation and inclusion of local agency” (Leonardsson & Rudd, 2015, p. 825). Yet, given the risk of romanticizing or reifying emancipatory metanarratives around ‘indigenous’ and ‘traditional’ peacemaking/building, it should not be neglected that at the local level there are also dynamics of power-resistance underlying the communities’ dynamics (Richmond, 2009b, 2011; Mac Ginty, 2008, 2010). The problem is that these approaches tend to see locals as a homogenous group that share a common understanding of peace (and war, democracy, security, and development) and consequently prioritize the dialogue with some leaders of the communities. Thus, there is a risk of reproducing a dichotomist view of peace, divided into the national and the local elites, hence suppressing the variety of peaces and the scale of greys between both the top and the bottom perspectives.

The decoloniality of peace would imply the rethinking of the nation-state, given that postcolonial states tend to constitute and reproduce themselves through violent apparatus of exclusion and cooption, based on race, as well as class and gender hierarchies. For the case of Latin America, the project of nation-state building was based on the exclusionary discourse of *mestizaje* (mixed-race) that made invisible all those social groups that did not fit the standard pattern of European-descendants. In line with that, the political, economic, and cultural system was designed in the image and likeness of the modern and western world. Thus, many other contesting projects have arisen from the bottom-up to subvert the status quo and gain a space within the nation-state through identity, multicultural, or intercultural projects;³³ or rather have aligned a chain of demands (logic of equivalence, according to DT)³⁴ at the local level from many different sectors and social groups in order to challenge and revert the given model of nation-state, as took place in Bolivia and Ecuador, introducing the concept of plurinationality (Santos, 2010).

In many cases, alternative forms of peacemaking/building come to light under the structure and systems of the (postcolonial) nation-state, and therefore, more than alternatives, are constitutive parts when observed from a relational perspective. Most of the times, local initiatives do not gather enough support to request a national dialogue about nation-building, and their resistance takes a low profile within the established system, eroding it from the interior through daily practices of civil resistance and non-violence, such as non-cooperation or the establishment of zones or communities of peace (Masullo, 2016; Mitchell & Hancock, 2012).

These counter-hegemonic peaces do not necessarily attempt to revert the hegemony, but seek pluriversality, as the Zapatistas put it, “a world where many worlds fit” (“*un mundo donde quepan muchos mundos*”) (Escobar, 2012; Mignolo, 2007). Pluriversality encompasses a plurality of ontologies, worldviews, *saberes*, and practices. It is a decolonial

³³ In the 1990 decade, a variety of countries in Latin America constitutionally recognized the identity and cultural rights of indigenous peoples and black communities (Benavides Vanegas, 1998, 2012; Yashar, 1998, 1999; Wade, 2001, 2010).

³⁴ In order to explain the power-resistance dynamics, DT uses the concepts of logic of equivalence and logic of difference. The first refers to the process through which different subject positions can be articulated in a chain of equivalence (made of particular demands with a final common goal) dividing the society in two poles – at least – by establishing a political frontier; and, on the contrary, through a chain of difference, those subjects can be split in many different subject positions (Laclau & Mouffe, 2014). That divisive line is materialized by showing that what is inside a chain of equivalence is constituted as such in opposition to what is outside. Social antagonisms are ever present in society as there is an endless struggle for hegemony over meaning, but the political frontiers dividing two sides are always unstable and subject to modification. Those potential modifications reveal that although social antagonism is constant in societies, the antagonisms change over time.

project because it redistributes power among different social sectors and goes beyond the precepts of the universality of modernity and its civilizing discourse (Grosfoguel, 2007, 2011). Yet, the aim of pluriversality is still a desideratum in many cases, given the endurance of universalist modern projects, and also due to the own power relations at the local level, and their inter-local conflicts. Pluriversality is thus more of a goal than a reality; it is a project whose aim is to question such universal worldviews and open the space for new others, although there is tension in the process.

Resistance does not take a single form, rather it continuously innovates, and adopts different shapes. In turn, power is never fixed but it moves and changes opening up new conceptual horizons. Thus, power is both relational and productive: it produces realities and relations, but at the same time is enacted through those same relations. Power therefore circulates and exists in action as part of a chain of social relations. It cannot be possessed or located in a particular actor, institution or place; it is dynamic and penetrates all relationships (Foucault, 1980). It is like ‘capillary power:’ “the point where power reaches into the very grain of individuals, touches their bodies and inserts itself into their actions and attitudes, their discourses, learning processes and everyday lives” (Foucault, 1980). Bodies are sites of power and resistance as well; as we will see in the following chapters, the embodiment of resistance is related to how power traverses and affects bodies in the first place. War and peace are not disembodied realities, rather they emerge from the bodies and the identities of human beings; they are made of discursive dynamics of power and resistance. Resisting practices against the liberal peace thus aim at breaking with the coloniality of power, knowledge and being that is enmeshed in this modern project.

1.7. Conclusions

This chapter has set the theoretical framework for the rest of the dissertation by exploring a combination of poststructuralist and decolonial approaches to liberal peace. Liberal peace is seen as a product of the modern-Western global project based on capitalism, liberalism, and security of the nation-state. The Western international community has promoted and exported this model to the periphery of the system, spaces taken as failed states, barbarian civilizations, and inferior cultures. It aims to portray the model of the nation-state building of the center as the *sine qua non condition* for the world stability and prosperity. Liberal peace discourses additionally rest on a liberal understanding of democracy, development, and security, that go hand in hand with liberal peace interventions. This approach reproduces

the coloniality of power/knowledge/being embedded in the modernity project through the exclusion of the other, be it inferiorized by race, class or gender. That matrix of coloniality was established during the colonial times, and reproduce after the independence of the countries through the nation-state building projects that kept the elites, their worldviews, and knowledges as superior to all the rest.

This hegemonic discourse of the liberal peace, however, has been subject to multiple counter-hegemonic decolonial practices, discourses, and actions from the global South/external periphery. These resisting alternative peaces challenge the universality of the coloniality of power by surfacing daily peace practices, initiatives, and *saberes* others that put into question a one-world perspective. From their local realities and knowledges, these local people embody the suffering of the war and the coloniality associated, and re-signify it by conceptualizing another model of nation-state that is inclusive and as far as possible pluriversal. The aim is to achieve the coexistence of the plurality of beings and their worldviews, but it cannot be neglected that even at the local level, the power dynamics are at play and sometimes different models clash with each other. Thus, intercultural translation is also needed at the bottom level in order to align interests versus the hegemonic exclusionary system.

In the case of Colombia, in many occasions, various ethnic-territorial organizations of Colombia have referred to peace as the process by which, not only peace puts an end to the armed conflict, but also the fact that ethnic people, both indigenous and black communities, overcome the long-standing oppression and exclusion that started with the colony back in the 16th century and lasted to the present in different forms, as the next chapter addresses.

2. The construction of indigenous and black identities in Colombia along the nation-state building and the internal armed conflict

[...] we have lived more than anyone the pain, the emptiness, the desolation, the suffering and the wounds left by war, for more than 500 years; we are collective victims of a historical conflict rooted in the processes of slavery, conquest, still alive in the current Republic, a conflict that has caused marginalization, expropriation, forced disappearance, massacres, kidnappings, rape of women, forced recruitment of children, political persecution of our territories, peoples and leaders, disharmonization of mother earth, risks of physical and cultural extermination of our indigenous peoples and blacks, Afro-Colombians, raizales and palenqueros communities (Ethnic Commission, 2016).

This first empirical chapter provides a historical and thematic account of ethnic identities in Colombia in order to situate the actors and better explain the context of the next three chapters. The goal of the chapter is to trace the evolution of identity-building processes since colonial times up until the 2012-2016 peace process. To do that the chapter explores both how hegemonic forces have shaped the images and labels associated with the native people of Colombia and descendants from African slaves, as well as how these groups have resisted, accommodated and also aim to transcend the identity politics in place.

The structure of the chapter is twofold: the three first subsections give an historical account that covers first how the images of the ‘indian’ and the ‘black’ were established during the Spanish colony; second, the discourse and practices of *mestizaje* (mixed-race) that were imposed after the independence of Colombia and during the early process of nation-state building; and third, the recognition of ethnic rights by the constitutional process of the 1990s amidst the internal armed conflict.

The chapter then focuses on two dimensions which cut across the chronological track. Subsection four is devoted to the study of the project of modernization and civilization and how the expansion of the capitalist system has also contributed to the social conflict of the country and affected the collective rights of the ethnic communities. And, finally, subsection five focuses on the practices of resistance and discourses of the ethnic people of Colombia, in particular looking into how peace, from their perspective, involves overcoming the colonial footprint and providing space to be, to exist, and to develop as they deem fit.

2.1. Black and indigenous peoples traversed by the colonial footprint

The arrival of Spanish conquerors to the lands of Latin America, as it is known today, supposed the beginning of the interrelated phenomenon modernity/coloniality.³⁵ The system of government in the peripheral colonies consisted of an imaginary – meaning the symbolic construction whereby a community defines itself (Mignolo, 2003) – articulator of alterities (Castro-Gómez, 2003). The identities of natives living in Colombia and slaves brought from many parts of Africa were extracted and transformed into homogenous categories such as ‘indians’ and ‘blacks’, being depicted as barbarians, savages and uncivilized semi-humans (Ariza, 2004).³⁶ Through the idea of race, a pattern of power that classified people in relation to their ‘purity of blood’ and labor relations was imposed (Quijano, 2003, 2007). The ideal of purity of blood came from the Iberian Peninsula where the Crown and the Catholic Church established a hierarchical division between those of Christian descendance and those whose blood was of Jewish or Islamic origin. The same pattern was reproduced and extended into the Americas, placing as inferior beings those people that have not been born in Spain (Castro-Gómez, 2005). With time, the ideal of blood purity was equated to the ideal of whiteness, and thus the color of the skin became relevant only in the 19th century when race began to be associated with skin colors.

Being white did not have as much to do with the color of the skin, as with the staging of a cultural imaginary woven by religious beliefs, types of clothing, certificates of nobility, modes of behavior and, what interests this research most, with the ways of producing knowledge (Castro-Gómez, 2005, p. 16)

The speech of purity of blood is, according to the interpretation of Mignolo, the first geocultural imaginary of the world-system that was incorporated into the habitus of the European immigrant population, legitimizing the ethnic division of labor and the transfer of people, capital and raw materials at a planetary level. (Castro-Gómez, 2005, p. 55)

Coloniality of power was entangled with the coloniality of knowledge and being. The local design of power imported from the Iberian Peninsula to the colonies established a social classification that was reinforced and maintained the production of knowledges that legitimated the abyssal lines that divided those from Spanish-origin from the native and enslaved people. Particularly during the 18th century, scientific knowledges developed in

³⁵ Although I take the concept of coloniality from Aníbal Quijano’s work, it is important to acknowledge that he based his reflection on those of black Marxists, as Grosfoguel (2018) recounts: “It is less known that the idea of “coloniality”, that is, the idea that racism is an organizing principle of the accumulation of capital and modernity, is formulated by black Marxists long before Aníbal Quijano, who begins to publish on this subject in the nineties after having been exposed to the tradition of black Marxism in his six-week annual visits to the State University of New York (SUNY) in Binghamton since the early eighties” (2018, p. 14).

³⁶ See also Serje, 2005.

Europe aimed at universality, hence discarding other ways of knowledge deemed as superstitions, myths, magic, and traditional knowledge. These European ways of thinking, dressing, behaving, ruling, producing knowledge and practices were naturalized over time and defined a horizon of common sense that became a *colonial habitus*³⁷ that was later expanded to the post-independence period. The colonial habitus, as Castro-Gómez (2005a) refers to, was product of the ‘hybris of zero point’ (*hybris del punto cero*), meaning that Europeans pretended that there was an objective, abstract, and neutral locus of enunciation from which knowledge was produced. This operation hid the particular (non-universal) and situated European locus of enunciation in order to impose those knowledges as universal and valid everywhere.

The coloniality of being, meaning the production of the colonial subjectivities/difference was not homogenous; there was a diversity of forms of dehumanization of ‘others’ (Maldonado-Torres, 2007); while indigenous have the status of tributaries, blacks were placed at the bottom of the social ladder as slaves (Wade, 2010). The Spanish Crown showed more consideration towards the native people, starting from the famous debate between Sepúlveda and Bartolomé Las Casas that took place in the 16th century to determine whether or not ‘indians’ had soul and could be converted into Christianity, but entirely omitted black people (Mignolo, 2003). All these discourses about ‘the other’ produced subjectivities that shaped the colonial difference, establishing an order of control of the other in which the colonial subject could not intervene. Another difference between the colonial subjectivities implied that the colonial rulers conceded to the indigenous the permission to live in reserved areas (known as *resguardos* in Spanish), under the rule of an indigenous leader (cabildo, cacique, etc.)³⁸, in exchange of a tribute that had to be paid to the Crown (serfdom system). Since then, indigenous peoples started to be seen as a culturally-defined other that represented a menace to the colony first, and to the nation after independence, but that still were allowed to conserve some rights. Black peoples, differently, were seen as mere goods that could be traded. Yet, both were seen as internal enemies to the modern projects of

³⁷ Santiago Castro Gómez takes the concept of *habitus* from the French philosopher Pierre Bourdieu (1977) who defines it as the internalized social practices, ideas, actions that reproduced themselves over time in a particular context.

³⁸ Cabildo was the name of the authority that was acknowledged by the Spanish colonizers to the indigenous peoples to rule their own *resguardos*, collective territories in which the Crown had no jurisdiction. Originally *resguardos* were conceived as demarcated areas to contain the ‘indians’ and make sure they paid a tribute to the colony. With the Constitution, that territorial figure acknowledged the territorial rights of indigenous peoples to their ancestral lands.

civilization and nation-building in Republican times in Colombia and the rest of Latin America (Espinosa, 2007).

The discourse of modernity that started to take form during colonial times created an imaginary that tried to hide its ‘darker side’ (Mignolo, 2011),³⁹ the coloniality and the impact of colonialism – domination, exclusion, hierarchization, annihilation – and, in turn, expanded through disciplinary governmentality⁴⁰ (Castro-Gómez, 2005), a universal narrative of progress, civilization, rationalization, positivist knowledge as the lighthouse of humanity, education, freedom, individualism, and later on liberal democracy, and capitalism. Race, along with class, and gender became constitutive dimensions of the matrix of power of modernity/coloniality. In this vein, blacks and indigenous peoples were paired with the lowest social classes, and indigenous and black women further relegated to the bottom of the social pyramid.

Yet, the process of colonization and subordination was not passive and both peoples offered resistance since the conquest. Of special interest was the creation of *palenques* by run-away enslaved people, as places outside the control of the Crown, where blacks lived freely; and the preservation of *resguardos*, languages, customs, and practices by native peoples. The resistance offered by native people made difficult the settlement of Spanish in the peripheral areas of Colombia, such as the Pacific region of Colombia (Agudelo, 2005), and that determined the lower level of integration of these regions into the centralist nation-state. But also, the settlement of mining enclaves in the Pacific, where enslaved blacks were placed, implied that families of miners were settled in a dispersed way along the rivers in order to have access to the water supply. This geographical distribution in the riverine areas resulted in the conformation of extended families, in which members of the community relate to each other as relatives of the same family. As a result, these “forms of family organization [became] mechanisms of legitimization of the territorial right of the initial settlers and their descendants” (Agudelo, 2005, p. 11). Black peoples performed different forms of resistance aiming at achieving freedom and more rights, and also did not cooperate and slowed down their work as a way to oppose their subordination.

Thus, the colonial system brought about the establishment of abyssal lines between the governing conquerors coming from Spain and the dominated and subordinated native

³⁹ Here I use Mignolo’s expression of his book *The Darker Side of Western Modernity. Global Futures, Decolonial Options* (2011).

⁴⁰ The term governmentality in this research refers to the use given by Foucault (1997), as explained in chapter 1.

population and enslaved people taken from Africa. As a result, native and enslaved peoples were embodied with the colonial difference and seen as colonial subjects, whose ways of being, knowing, and organizing were rejected and relegated by the governing elites and the Enlightenment project of modernization. Notwithstanding, the process of subordination did not happen without contestation; indeed, it was challenged, defied, and modified by the resistance of those seen as ‘others’.

2.2. Ethnic identities in Republican times

“We should be proud to be Indians, to call us Indians; with the word “Indian” they conquered us, with the word “Indian” today we will be liberated” (Reinaga, 1971, p. 89).

The independence of Colombia from Spain was led by different regional elites without a clear idea of national unity; most of them were Spanish creoles, descendants of Spaniards born in the colonial territory. Yet, despite the vast literature that has reinforced the myth that was an elite-driven process, also the popular classes, including indigenous, mulattos, and blacks had an active participation in decolonization that varied on a region basis (Múnera, 1998, 2005). Yet, the white elite managed to secure power after independence and tried to shape it, although it failed in the attempt: the imaginary of a Colombian nation reproduced, although in a hidden way, the colonial difference through the discourse of *mestizaje* (mixed-race) (Wade, 2001), as in other parts of Latin America. The bottom line of the discursive apparatus of *mestizaje* was the need to ‘improve’ the race, in order to overcome the backwardness of the past and civilize and modernize the nation through the mixing of whites with blacks and indigenous by promoting the arrival of white European migrants to be mixed with the ‘inferior’ beings. In addition, the narrative of a homogenous *mestizo* nation was another way of neglecting and making the ‘Others’ invisible, despite of the fact that they were the majority of the population in many regions after the independence (Múnera, 1998, 2005). In order to do that indigenous and blacks were given a class-based identity as peasants, which denied their identity difference. In short, blacks and indigenous were seen as a problem for the nation-state building process.

On the one hand, indigenous were portrayed as the uncivilized, minor, and barbarian that had to be disciplined through evangelization. Plus, the indigenous *resguardos* represented a threat against individual property rights and many of them were abolished after independence. On the other hand, black people remained under slavery until 1851, despite

the Conservatives' revolts to avoid it. As blacks still recall nowadays,⁴¹ slave owners were compensated by the government for the manumission law instead of enslaved people. As a result, black people were incorporated into the nation as second-class citizens (Wade, 2010, p. 92); for instance, a series of laws prohibited until 1932 that citizens could vote unless they knew how to read and write, and had their own property, something very difficult to achieve at a time when they had just obtained their freedom (Agudelo, 2005). Black and indigenous were thus portrayed as two categories of 'others:' the indigenous were portrayed as the most different group – the 'radical other' – and blacks were deemed less different or easier to assimilate – 'moderate others' –, resulting in that many black people have seen themselves as mestizos given the proximity in the discourse (Cunin, 2004).

Through the whole 19th century, Liberals and Conservatives went to war several times in order to give shape to the new nation-State, disputing the role of the Church in the new Republic and the type of government, centralist or federal. With the victory of the Conservatives by the end of century, Law 89 of 1890⁴² depicted indigenous people as minors that have to undergo a process of civilization to be considered citizens of the nation-State. Law 89 of 1890, however, recognized indigenous rights to have and live in *resguardos* under their own system of ruling, although under the custody of the church. This Law, despite its racist content, has been key for indigenous social movements to fight for their autonomy to exert juridical, cultural, and economic rights, from the 1970s onwards.

The whitening process underlying the discourse and practice of *mestizaje* has made that many blacks have identified themselves as *mestizos*, adopting their cultural patterns. Yet, the *mestizaje* discourse has co-existed together with racial discrimination and exclusion. As Serje (2005) explains, the Colombian nation is imagined at the image and likeness of the Andean center, and the department of Antioquia as the model of whiteness (Trojan, 2008), in radical contrast to the periphery of the country. The periphery is portrayed both as a place of violence and savagery and, in turn, a place of biodiversity with vast natural resources, but mostly as an empty place that has to be dominated and civilized (Serje, 2005). In this vein, Law 2nd of 1959 of Forest Reserve declared as *baldíos*, or empty lands, all those territories of the periphery where the majority of indigenous and black people live. This legislation

⁴¹ Interview, Marino Córdoba, international representative AFRODES; Washington DC, 22 June 2017.

⁴² Ley 89 of 1890 "Por la cual se determina la manera como deben ser gobernados los salvajes que vayan reduciéndose a la vida civilizada"

thus does not recognize the existence of these peoples neither their cultures and ways of living.

Nation building is thus a modern instrument that has served to control the population and ensured the governmentality of the country (Foucault, 1980). The relation of the nation and the State with the subjects of the periphery has been a relation of alterity; the nation constitutes itself and gets meaning in opposition to an ‘other’, an exteriority. Thus, as Serje (2005) argues for the case of Colombia, blacks and indigenous become racialized exteriorities of the nation-State, but in turn, are needed for the latter to exist as they represent what the nation is not. The building of imaginaries about the periphery is necessary to consolidate the identity of the center. Both the state and the nation are colonial social and cultural devices that help to expand the modern/colonial project based on an evolutionist ideology of progress, civilization, and commercial expansion (Serje, 2005).

Likewise, ethnicity was a core element of the ideology of the nation-state. As the Colombian author Restrepo analyzes, the strategy of otherness through ethnicity takes places in two levels of power, following Foucault’s remarks: through the microphysics of power, by constituting the ethnic subjects through the docility of their bodies and their individualization; and at a macro-level with the governmentality of populations through biopolitics that discipline and regulate the people into ‘normalized’ standards (Restrepo, 2004b). But as during the colony, black and indigenous peoples have resisted the normalization and discipline of their bodies and minds in different ways, as shown below.

2.2.1. Nation-state building and internal armed conflict

War is another practice that shapes the nation-State project. Since independence, Colombia witnessed a series of civil wars orchestrated by the main political parties. The historical rivalry between the hegemonic parties takes roots into the independence of the country from Spain in 1819 (Moncayo, 2015, p. 14).⁴³ After the war at the turn of the century (1899-1902), a Conservative hegemony was established until the 1930s when the Liberal Republic took power and, with it, violence spread to the departments of Santander and Boyacá for ideological reasons. The period known as “La Violencia” (1948- 1957) was the precursor of the war against the insurgency that started in the 1960s (Chernick, 2007).⁴⁴ In short, political

⁴³ These armed confrontations between Conservatives and Liberals aimed at establishing what kind of country Colombia should be and who should rule it, defining also what kind of relationship the government should have with the church.

⁴⁴ The assassination of the Liberal Party’s candidate Jorge Eliécer Gaitán on April 9, 1948, during a Conservative ruling, represented a decisive point in the inter-party conflict. From 1948 to 1953 there were

and economic elites conducted a top-down nation-state building process, rendering an oligarchic system that has been defied and resisted, both violently by the guerrilla uprising that has tried to take power and revert the elitist structures, and peacefully by other unarmed subalterns in the peripheries of the country.

By 1953 the moderate sides of the political parties reached an agreement which entailed the establishment of a military presidency in hands of the General Gustavo Rojas Pinilla “with the mandate to pacify the country and put an end to the bipartisan violence” (GMH, 2013, p. 115). Rojas Pinilla granted amnesty to the liberal and communist guerrillas but only the former accepted, while the latter distrusted the government and the political arrangements and preferred to keep their arms for self-defence, which ended up being used to defend themselves from government attacks.

Some of these communist guerrillas sought refuge in the south of the Tolima department, the seed of the birth of the largest guerrilla of Colombia FARC. The territories under their control were portrayed as “Independent Republics” in Congress,⁴⁵ a label that served to criticize the lack of response by the government to take over these zones. In addition to the Conservative rhetoric, a US report, Plan Lazo, recommended the military takeover of the area. The repression of the state grew between 1954 and 1956 and resulted in the ‘Sovereign Operation’ to take over the so-called ‘Republic of Marquetalia’ in 1964. The historical leaders of the FARC were among the peasants that overcame the military intervention and organized the I Guerrilla Conference in 1964, at which they launched the ‘Agrarian Program,’ which became their foundational document. The Marquetalia attack was seen as the foundational myth of the FARC, expressed on the idea of a repressive state that attacked its own citizens (Centro Nacional de Memoria Histórica, 2014, pp. 51-54).

The second largest guerrilla group *Ejército de Liberación Nacional* (ELN, National Liberation Army) of Cuban inspiration, took roots in 1962 in the department of Santander with the support of the workers and unions of the oil industry, students, and colonizing and displaced peasants (GMH, 2013, pp. 123-124). Their goal was to conduct a revolution similar to that of Cuba, in order to take power and change the political, economic, and social conditions. In the same decade, the *Ejército Popular de Liberación* (EPL, Popular Liberation

massive confrontations in various geographical sites of the country, leaving 220.000 deaths (Ríos Sierra, 2017, p. 26). During these years, the Conservatives used the police and emerging paramilitary forces to fight the self-defence Liberal and Communist guerrillas (GMH, 2013, p. 112).

⁴⁵ Senator Álvaro Gómez Hurtado was referring to the areas controlled by peasants in arms and that were not under state control (GMH, 2013, p. 121).

Army) emerged in 1967 following the Maoist ideology of a prolonged war boosted from the rural areas with the aim of changing social conditions.

The birth of these first guerrillas took place under the National Front, a bipartisan pact agreed upon between the Liberal and the Conservative parties in order to remove General Rojas Pinilla from the presidency and establish a system of power alternation in which two parties rotated the presidential power and distributed their representation in equal terms in Congress and the government. Originally planned for 12 years was later extended to a period of 16 (1958-1974). During this time the political rule followed the western logic of war against communism and implemented a counter-insurgency program, backed up by the Alliance for Progress, a US funded program to prevent 'other Cubas' from happening in its 'backyard.'

The oligarchic system in place has privileged the presence of the State in those 'civilized' areas of the centre of the country at the expense of the periphery. The presence of the State in the Pacific region, the Amazon, or the Eastern Plains has been poor and mainly militarized. For instance, the Pacific region remained isolated, even from the conflict, until the 1990s. Although the guerrilla started to use these places as rear areas since the 1980s, the relationship with the community was peaceful and of co-existence in the beginning (Agudelo, 2004). Yet, with the arrival of paramilitaries and the start of disputes about the control of the territory among the different armed groups, the periphery was incorporated via the armed conflict into the national dynamics of nation-state building. The war caused that regions such as the Pacific, considered as an oasis of peace for many years (Restrepo & Rojas, 2004) became 'geographies of terror' (Oslender, 2004).

As blacks and indigenous have argued, the colonial racism that has pervaded the nation-state has also been enmeshed in the armed conflict. The ethnic communities in the Pacific felt abandoned by the State and became military targets of all armed groups. In addition, they were exposed to stigmatization as they were labelled as informants of the army or collaborators of the guerrilla depending on their geographical situation. The high levels of violence resulted in massacres, massive forced displacements, recruitments, confinements, sexual violence, that not only affected individual persons but the ethnic communities as a whole, their culture, social fabric, ways of production, territory, inter-ethnic relations, etc., rendering what some authors and ethnic leaders consider an 'ethnocide' (Almario, 2004; Espinosa, 2007; CONPA, 2014; Ethnic Commission, 2016).

In these circumstances, an indigenous guerrilla group emerged in 1984 in the department of Cauca, with the support of the urban guerrilla movement M-19.⁴⁶ It was named Quintin Lame Movement, taking its name from an indigenous *nasa* leader who had led an indigenous movement to protect their *resguardos* from 1920 to 1940. The *nasa* Lame launched a resistance movement to stop the policy and secure their *resguardos* in Cauca, Tolima, Nariño, Valle and Huila (Molano, 2015, p. 5; Benavides Vanegas, 2009, 2010). Drawing from this experience, various indigenous peoples of the region of Cauca started a strong resistance movement to recover the lands of their *resguardos*, according to Law 90 of 1890, and to strengthen their own indigenous authorities under the form of cabildos. Assembled in the Indigenous Regional Council of Cauca (*Consejo Regional Indígena del Cauca*, CRIC), these peoples saw that their efforts had been trumped by big landowners as well as by the violence generated by the FARC against the armed forces in their territories. In those circumstances, a group of them decided to take arms and defend their autonomous project for the defence of their lands and territories. The indigenous guerrilla movement Quintin Lame was active from 1984 to 1991. The armed option was not beneficial for the indigenous movement and the Quintin Lame demobilized in the peace process of 1991, after securing two seats in the Constitutional process of that year, as further explained below. After that brief armed experience, the indigenous movement of Colombia has combined pacific forms of resistance, including social mobilization through marches, sit-ins, and *mingas* and legal activism (Benavides Vanegas, 2012).

Some rural black citizens also participated in the guerrillas as a way to overcome the oppression of the system. For instance, in the San Juan river in Chocó, a dissidence of the ELN brought to light in 1994 the armed group Benkos Bioho,⁴⁷ an ethnic black guerrilla that fought for black rights and against racial discrimination, but was quickly decimated by the government in a few months (Agudelo, 2005).

While the internal armed conflict has shaped the development of the nation-State and the different guerrillas aimed to transform it into a more democratic and egalitarian State, most rural blacks and indigenous did not feel represented by the class struggle of the guerrillas,

⁴⁶ The 19th of April Movement (M19) was created in 1970, as the result of the presidential elections between the Conservator Misael Pastrana and the former dictator Rojas Pinilla, which they considered fraudulent. The guerrilla had considerable media coverage in Colombia because they operated in urban areas and conducted several actions at the heart of the country, in Bogotá, such as the retention of 52 persons in the Embassy of the Dominican Republic in 1980 or the siege of the Justice Palace in 1985. Their intention was to pressure the government to open up the democratic system.

⁴⁷ It takes the name from a famous runaway slave that fought against the colony.

that in a way reproduced the discourse of homogeneity of the nation. Most ethnic groups have long defended a political solution to the conflict, given that the militarized strategies have only brought more blood to their territories. In this vein, the ethnic-territorial organizations have had to develop multiple forms of resistance and resilience in the middle of the conflict, coming up with various local peacebuilding practices and initiatives to preserve their autonomy not only from the State but also from the guerrillas and the paramilitaries, as will be explored later in the chapter.

Thus, various black and indigenous groups started to mobilize instead a different discourse aiming to be included in the nation, not as mere victims of the armed conflict, but as ethnic peoples. With their peaceful practices, they aimed at reversing war as the definer of the nation-state, and bring in peace instead.

2.3. The politics of ethnic identities

In the midst of the conflict, both black and indigenous peoples started not only to resist the war, but also to re-signify their identities. The first groups to assert their ethnicity were the indigenous. Their mobilization has roots in the early 20th-century indigenous actions to recover ancestral lands, those territories native people have been occupying since before the arrival of the colony. Already in the 1920-30s, southwestern indigenous groups managed to recover some *resguardos* from landowners. Like peasants, indigenous communities have fought for the redistribution of land. Indeed, in the 1960s many indigenous joined the *Asociación Nacional de Usuarios Campesinos* (ANUC, National Association of Peasant), the major peasant organization, that sought an agrarian rural reform, with redistribution of land and the end of *latifundios*. Overtime indigenous groups realized that their claims differed from those of peasants, since the latter contend that ‘land belongs to its workers’ (*la tierra para el que la trabaja*) and the former assume ‘land without owners’ to refer to the end of *terraje*, a form of serfdom by which indigenous have to pay a tribute to the landowners of the land (García Nossa, 1953). In addition, indigenous peoples realized that the peasant organization reproduced the racism and exclusion of the elites by relegating the ethnic claims from the core of the organization (Benavides Vanegas, 2009, p. 13). With this in mind, the first indigenous organization, the aforementioned CRIC decided to break up with the ANUC in the 1970s, so as to avoid being subjugated by the peasant organization (Centro de Memoria Histórica, 2012, p. 71). This division between peasants and indigenous in terms of political

economy has continued until the present and has been behind the rift between indigenous and the FARC, which follows a class or workers logic given its peasant origin.

The CRIC realized that their approach to *territory*, self-government, and autonomy had a different dimension, not only based on a class logic as peasants, but also on an ethnic one (Benavides Vanegas, 2009). The concept *territory* is used by the ethnic groups to refer, not only to their lands, but also to the habitat and all kind of relations that are established in it, among human beings but also with nature and spiritual and sacred practices and beliefs. Territory is “inseparable from its culture”, “the basis of its reproduction”, “associated with the exercise of other collective rights, in particular with some control over natural resources and the recognition of an indigenous authority” (Gros, 2004, p. 208).⁴⁸

Blacks, on their side, started to organize themselves first in the department of Chocó, also as peasant organizations that fought for the defense of their lands. As the region was under the *Ley Segunda* of empty lands, blacks did not own the land where they lived, worked, and sustained themselves. The arrival of logging companies from other regions in the 1980s, with the approval of the State, put at risk the social life and food sovereignty of these communities. The first black peasant organization was ACIA (*Asociación de Campesinos Integral del Atrato*, Integral Peasant Association of Atrato). They got inspired by OREWA, the first indigenous organization of Chocó. Both ethnic-territorial organizations counted with the strong support of the social pastoral of the dioceses of Quibdó, capital of Chocó,. In fact, members of the church led the promotion of the discourse of ethnicity through their work with indigenous and black peasants, in order to achieve collective rights as peoples, given the difficulties to title the territory to individual members of the communities.⁴⁹ Their class-based demands as peasants were interlinked with the political and cultural claims regarding identity rights (Álvarez, Dagnino & Escobar, 1998); the right to equality was not enough, and they sought their right to difference, territory, and autonomy (Benavides Vanegas, 2009).⁵⁰

The emergence of indigenous mobilization in Colombia is explained as the result of a crisis at three levels: a crisis of representation, brought about by the lack of political parties with enough representation to convey all collectives' interests; a crisis of participation, that is the result of the lack of citizens' participation in

⁴⁸ See Chapter 4 for a more detailed account of the understanding of territory by ethnic peoples.

⁴⁹ Interview, Father Uli, Diocese of Quibdó; Quibdó, 1 February 2018. See Restrepo, 2004a; and Yashar, 1998, for the role of the branch of the church, inspired by the Theology of Liberation, in the organizing of indigenous movement in Latin America. See also Agudelo, 2005.

state's business; and a legitimization crisis, due to the fact of discrimination against some social groups" (Benavides Vanegas, 2009, p. 11).

Both Afro-descendants and indigenous peoples have politicized their difference based on material demands (territory), through their cultural difference (re-signifying in positive terms the colonial difference) and with political aims (seeking for autonomy and self-government within a diverse country). Their use of identity politics is a step-by-step long-term strategy⁵¹ they use to gain space within the established system; yet they aim at transcending this reification of identities. Based on conversations with some of these ethnic leaders, some of them aspire to go beyond the identity politics in order to live their identifications outside already-set legal mechanisms. I refer to this phenomenon as the construction of *trans-identities* drawing from the Argentinian philosopher Dussell's (2015) decolonizing proposal of *trans-modernity*.⁵² As trans-modernity implies the transcendence of the modernity project and the universal world, as well as finishing up decolonization, trans-identities can be described as the decolonial process of subjectivation that opens up space for a plurality of identifications, versus the hegemonic one, not only in identity terms, but also as a process that challenges the whole coloniality of power/knowledge/being. This does not imply to get rid of every element related to modernity; for instance, both indigenous and blacks fight for autonomy within the democratic state, but promoting a more participatory and inclusive democracy, rather than just a representative democracy of the majorities (Sousa Santos & Mendes, 2016).

Trans-identities are far from multicultural politics; it does not mean to include the other and make it coexist with the hegemonic identity, for pragmatic reasons. Multiculturalism indeed is a modern dispositive to appease ethnic mobilizations, while preserving the logic of the neoliberal capitalism (Walsh, 2007; Walsh, (Ed.) 2010). Multiculturalism, in addition, tends to essentialize identities 'others' as something to be preserved as such, as the other (Ulloa, 2004; Ariza, 2004). In Colombia, as elsewhere, black and indigenous peoples politicize the essentialization behind multicultural politics as a means to achieve emancipation "as Indians" or "as Blacks." The essentialization of blacks and indigenous cultures reifies the abyssal lines established during the colony through identity politics that continue to see them as the other, the minority. Yet, the idea of trans-identification implies the decolonization of those subjectivities and the deconstruction and dilution of those abyssal lines. This means

⁵¹ See Knox (2010) for a discussion on the difference between short-term tactic and long-term strategy in legal and political debates.

⁵² See also Grosfoguel (2013) for reflection on the idea of trans-modernity.

that the idea of the black and the indigenous no longer recalls the imaginary attached to them in the past, neither they are seen as a folkloric or traditional item that has to be valued. Rather it is overcoming the hierarchies.

The idea of trans-identities does not imply consensus among different identifications; agonisms persist and continue to traverse social relations; and sometimes they even reproduce hierarchical divisions. Yet, there is also the possibility that various subjectivities ‘others’ get together and articulate policies that defend the rights of subjugated subjects. For instance, blacks and indigenous peoples in 2013 formed an Agrarian Summit along with peasants’ organizations, that acts as a platform to dialogue with the State in search of appropriate policies for inhabitants of rural areas.

Unlike in other countries where indigenous population has been able to articulate with other subaltern groups in order to rethink the State, such as in Bolivia or Ecuador (Santos, 2010), in Colombia it has not happened. In contrast, in Colombia, ethnic mobilizations have focused on gaining more representation within existing institutions of the democratic system, and also creating new ethnic institutions, such as the Permanent National Indigenous Board and the Afro-descendant Consultation Commission. To start with they managed to change the monocultural Constitution into a pluri-ethnic and multicultural nation.

2.3.1. A pluri-ethnic and multicultural Constitution for peace

Despite the fact that Colombia has gone through multiple peace processes in its two hundred years of existence, ethnic peoples were only able to actively participate at the national level in the recent peace process (2012-2016), as will be explored in the next chapter. Yet, the Constitution of 1991 could be seen as its antecedent, since the Constituent process was fruit of the 1990-91 peace processes that led to the demobilization, disarmament and reintegration of the M-19, the Quintin Lame, the PRT (*Partido Revolucionario de los Trabajadores*) and the EPL (Ejército Popular de Liberación (Ríos Sierra, 2017). At the end of the 1980s, President Barco (1986-1990) focused on strengthening the legitimacy of the State and bringing about reforms such as a limited land reform, the celebration of the first elections at the local level (1988), and the redesign of the National Plan for Rehabilitation that had been started by the previous president, Belisario Betancur. Barco thought that the State should conduct the needed reforms but without negotiating them with the multiple guerrillas operating in the country (Ríos Sierra, 2017, p. 66). In exchange, the government offered a Disarmament, Demobilization and Reintegration (DDR) program to all the armed groups. The ELN and the FARC considered this as a rendition proposal and did not participate in the

negotiations, unlike the M-19, the QL, the PRT and the EPL (Ríos Sierra, 2017). The M-19 and the government reached an agreement at the very end of Barco's presidency and the other three armed groups acted accordingly at the beginning of César Gaviria's term (1990-1994).

Gaviria's peace offer included the participation of the demobilized guerrillas in the Constituent Assembly that was convened in 1990 to draft a new Constitution which would bring the opening of the political spectrum by providing space to more political parties than the two hegemonic ones. The ELN and the FARC, at that moment reunited under the negotiating platform *Coordinadora Guerrillera Simón Bolívar* (CGSB), rejected the proposition because the government was not willing to negotiate economic and structural reforms nor to assign them a number of fixed seats in the Assembly.⁵³

The Constituent Assembly counted with the participation of several demobilized guerrilla members, mostly from the M-19 movement, and one indigenous from the Quintín Lame (Alfonso Peña "Chepe"). In addition, indigenous groups were able to elect two representatives: Lorenzo Muelas of *Movimiento de Autoridades Indígenas* and Francisco Rojas Birry of the ONIC. Their presence was key to introduce a series of rights for the diversity of peoples in Colombia. Among other things, the Constitution reads that Colombia is a pluri-ethnic and multicultural country that acknowledges and protects the diversity of its peoples, cultures, territories, justice system, and autonomy.⁵⁴ The indigenous constituents overcame the 19th century legislation that portrayed them as infants that the State had to take care of, but kept and re-signified some other colonial territorial rights such as the figure of *resguardo* by establishing legal mechanisms to preserve them.

The Black movements were incipient at that time and did not get any black representative elected in the Constituent process. The reasons that explain this failure are several: blacks' organizations were still weak and very fragmented—some mobilized an ethnic discourse, but others opted for an equality discourse. Plus, the mestizo discourse was part of the colonial habitus as well as the whitening ideal, so many blacks did not identify themselves as an ethnic group nor with the black candidates. And, in addition, in some black regions, people

⁵³ The CGSB requested 20 seats, 8 for FARC, 8 for the ELN, and 4 for the dissidences of the EPL (Centro Nacional de Memoria Histórica, 2014, p.141).

⁵⁴ According to Ariza (2004, p. 51), the Constitution "was conceived as an instrument of pacification, as a means to reestablish public order."

preferred to support an indigenous candidate, such as in the case of Chocó where they voted for Francisco Rojas Birry (Castillo, 2007; Arocha, 2004).

Interestingly enough, during the process indigenous and black candidates agreed to support each other in case any of them did not make it to the National Constituent Assembly (NCA) and, thus, the indigenous delegates represented blacks' interests, lobbying for the inclusion of Transitory Article 55. The article then translated into Law 70 of Black Communities of 1993, which defined the rights to land for the Afro-Colombian riverine communities of rural areas in the Pacific Coast region and acknowledged black communities as ethnic subjects with particular cultural affinities (Wade, 1999, p. 260; Oslender, 2016). This triumph was not an easy task since many political elites did not recognize black people as an ethnic group and doubted they had a particular cultural identity. While indigenous were identified as an ethnic group, blacks were seen as a racial category (Arocha, 1998). This implied they were seen differently only due to the color of their skin, rather than as a group with particularities in terms of language, religion, music, food, family practices, celebrations, etc.

The Afro-Colombian population is twice discriminated against: first, through its exclusion from democratic equality and secondly through the exclusion of the right to be different, first because they are black (in racial terms) and second because they are not black enough (in ethnic terms) (Cunin, quoted in Ariza, 2004, p. 80).

This artificial classification between ethnic and race neglects the fact that indigeneity was also conceived as a racial label since colonial times. As Hooker (2005) argues, the elites have played an important "role in determining the ability of different groups to gain collective rights" (2005, p. 305) based on the perception of "possessing a distinct group identity defined in culture or ethnic terms" (2005, p. 285). The criteria to define ethnicity include people living according to the same cultural patterns they had in pre-Columbian times, such as occupying the same land, using their native languages or dressing in a particular way, thus promoting their permanent stay in ancestral territories and the reproduction of their past, taking them as static subjects (Ariza, 2004).

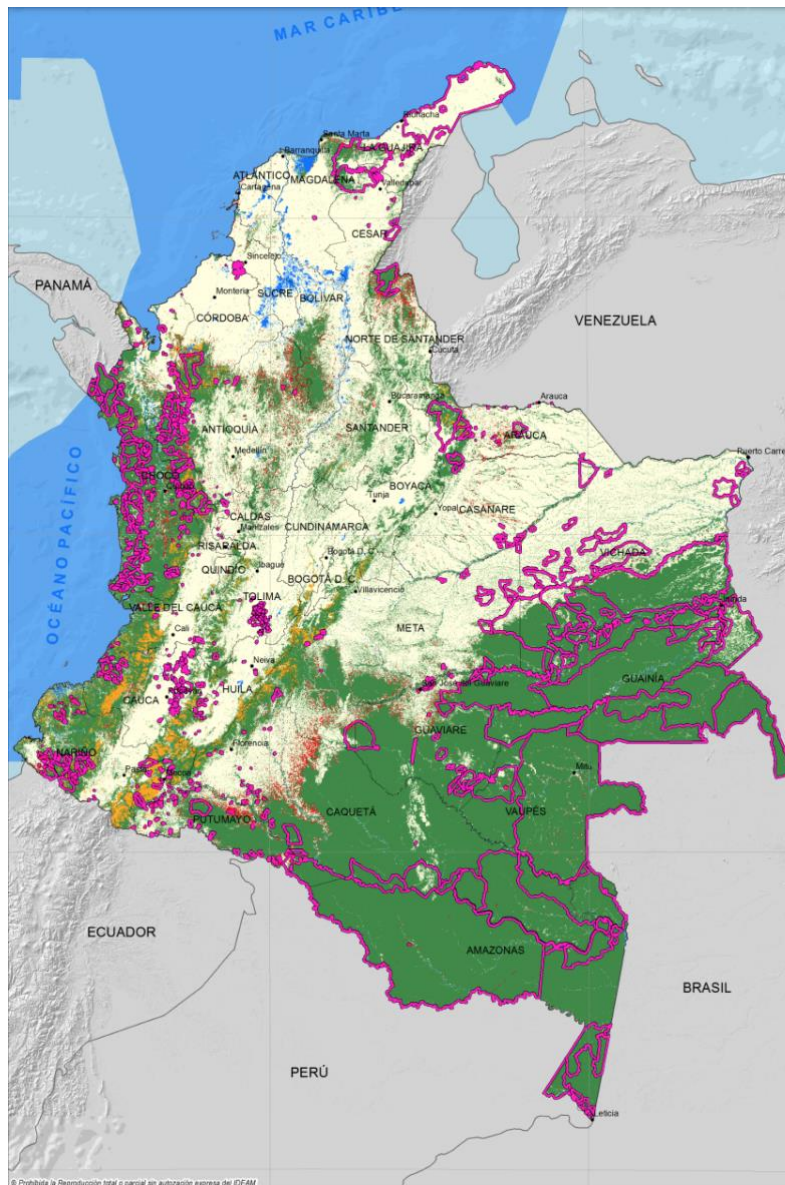
With the 1991 Constitution, blacks and indigenous peoples affirmed their beings through their right to difference, to their own culture, and to have particular worldviews, in contrast to the globalized model of civilization and development. In addition, they were recognized the right to free, informed and prior consultation of any policy that could affect their ways of living and their territories, in accordance with the ILO (International Labor Organization)

Convention N. 169 and the national Law 21 of 1991.⁵⁵ Regarding territoriality (see figure 3), indigenous groups managed to reshape the national political-administrative division situating their *resguardos* at the administrative level of municipalities. These entities were to receive State funds and be self-ruled internally within the *resguardo*, managing services such as education and health. Black communities gained also territorial rights over their collective territories, which were declared imprescriptible, immune from seizure, and inalienable (Domínguez Mejía, 2012; Arocha, 2004). They also defined their own political structure known as community councils as the governing entity of the collective territories, but they did not obtain State royalties and therefore depend on foreign aid to carry out different activities, thus creating in many cases dependency relations; and also, on contracts with multinationals and extractive industries that pay them a ridiculous sum to exploit their resources. Plus, as some authors have sustained (Domínguez Mejía, 2012; Oslender, 2010), the display of all these ethnic concessions was a way to secure the governmentality of the State in territories excluded from the national reach until then, through cooption. Others have seen these concessions as a symbolic exploitation of indigeneity in order to highlight the tolerant, pluralist, and diverse character of the new Constitution (Ariza, 2004). In addition, the state's allocation of funds to the ethnic communities has generated multiple internal divisions among them regarding the financial management, which has eroded the social movement and its leaderships (Jaramillo, 2011).⁵⁶

⁵⁵ Colombia ratified the ILO Convention 169 through *Ley 21* of 1991 which establishes the State's obligation and the right of ethnic communities to be consulted prior to the adoption of any administrative or legislative measure, or when a private actor develops a project, construction or activity that may directly affect the ethnic communities. The exercise of this right has seen many difficulties in Colombia and elsewhere, as many times prior consultations do not take place as stated in law. There is a whole academic debate related to this issue dealing with how consultations unfold in practice, challenges in implementation, potential for inclusivity of marginalized groups, as well as on the political and social impacts they have. See further details in Costanza (2015), Schilling-Vacaflor & Flemmer (2015) and Fontana & Grugel (2016).

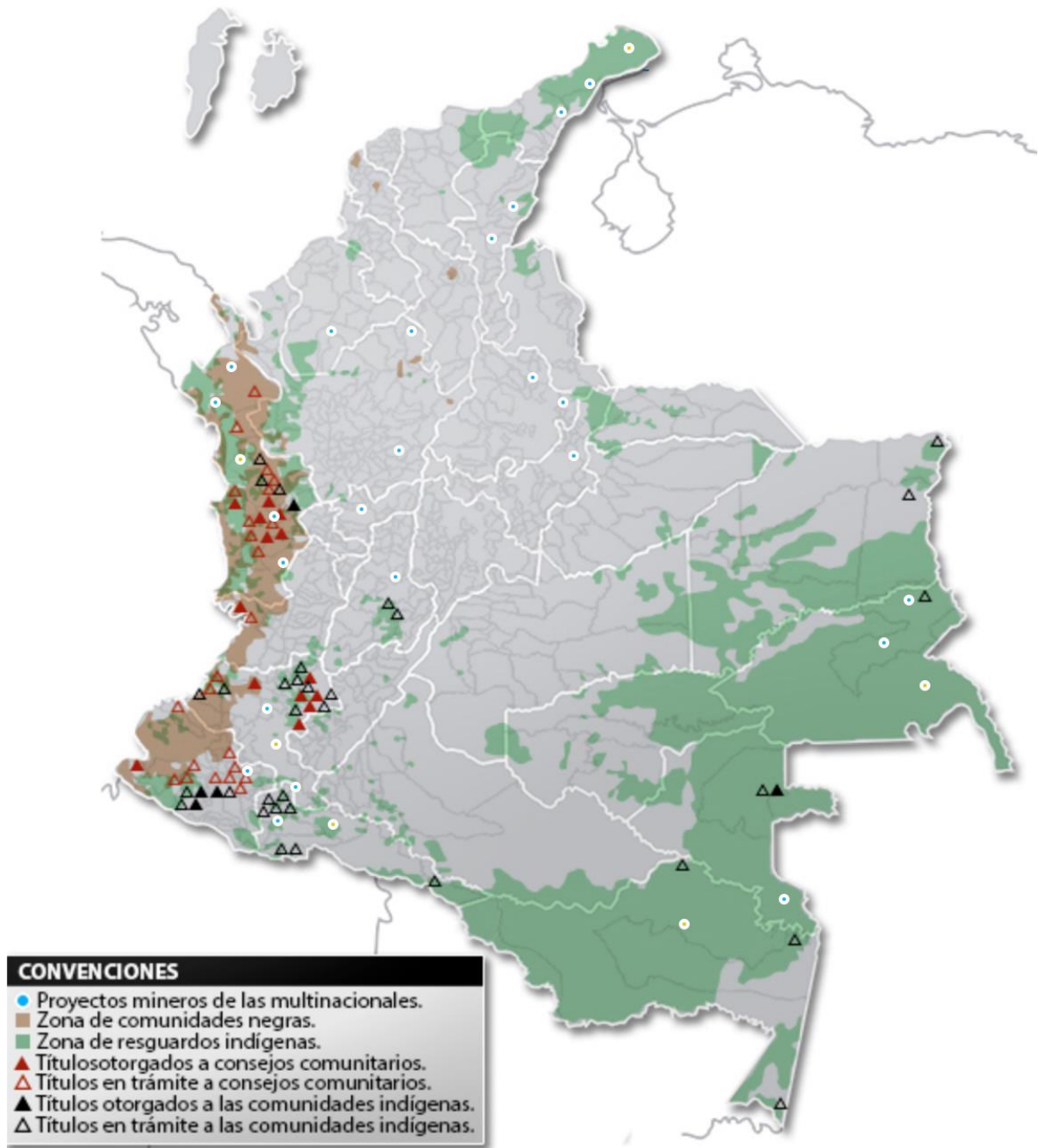
⁵⁶ I could contrast this view with several social leaders of indigenous and black organizations in Chocó, 2018. For instance, the original ethnic organization of Chocó OREWA split into five different factions due to the management of state's resources.

Figure 3. Map of indigenous resguardos (2012)



□ Contour of indigenous reserves. Source: UNDP, 2016.

Figure 4. Map of the intersection of indigenous and black territories with mining projects



Source: La Silla Vacía, 2014

In a way, blacks defined themselves as an ethnic group taking indigenusness as its model: in a way, the black communities' movement has tried to emulate the indigenous relationship with the State. Black identities have resulted from a hybrid of the modern identity politics plus the ethnic perspective of indigenusness. To characterize themselves as an ethnic group, the role of Colombian anthropologists such as Jaime Arocha was key to define their distinct features (Arocha, 2005). For instance, they alleged their special relation and ancestral

occupation of their territories, and claimed to have a particular productive and diversified system in line with the preservation of nature. This way, territories were not only a material basis of their claims, but also an identity-related element since both afro and indigenous understand their realities and their existences in close connection to their territories, understood as the set of social relations, ontological relations with nature, that take place among a community in a particular space (Escobar, 2012, 2014, 2015). Therefore, ethnic groups have conflated both material and cultural demands (Hristov, 2009), in contrast to the literature of new social movements that analyzed them only in cultural and political terms (Álvarez, Dagnino & Escobar, 1998). But the inclusion of these two ethnic groups has been unequal, privileging the recognition of indigenous rights, and offering an ambiguous inclusion to blacks (Agudelo, 2004).

In that vein, the definition of blackness was limited to those living in rural riverine areas, and a vast part of the black population, mainly from urban areas felt excluded and not represented by the new legislation (Agudelo, Restrepo & Rojas, 2004). Many urban movements have worked to fight racial discrimination, but not necessarily in cultural and territorial terms, so there have been different trajectories of struggle to the point that many urban black people do not know about Law 70 of 1993. The lack of willingness of the State to advance the regulation needed for its implementation has also contributed to the stagnation of black rights (Mosquera Rosero-Labbé & León Díaz, 2015). As one of the members from the Secretariat of the FARC summarized:

The Republic did not overcome the overwhelming denial that inaugurated the conquest. At most, it refined and concealed it a bit but institutional segregation persists. When one thinks that the State is understanding the non-western worldviews, it is a fallacy. Although there are advances of recognition product of the arduous struggle of ethnic peoples, segregation persists as an aspect of state domination, of imposition of its power, strength, totalitarianism and cultural hegemony.⁵⁷

The 1991 Constitution, although it advanced the rights of ethnic peoples, did not recognize Colombia as a pluri-national State and kept it as a single nation-state. In a way, from a multicultural perspective, it integrated the 'others' into the hegemonic notion without advancing an intercultural dialogue.

⁵⁷ Interview (by letter), Jesús Santrich, member of the secretariat of the FARC and the peace delegation in La Havana; 21 October 2018-8 November 2018.

2.4. Decolonial resistance against the globalized modernity project

In the name of development, they enslaved us and now in the name of development they expelled us from our lands [...] The privileges of Europe are sustained in the looting of other countries. We ask you to put your development at the service of the life of the communities. They are killing us, it is a genocide” (Francia Márquez, in Makazaga, 2018).

The modern/colonial project of civilization has evolved and adopted different discourses until the present, all of them based on a logic of progress, advancement and linearity, as discussed earlier. Civilization, modernization, development, and democratization are the main narratives that sustain the coloniality of power/knowledge/being. These imaginaries have classified the world in binary oppositions, such as civilized/barbarian, modern/traditional, developed/underdeveloped, democratic/non-democratic, taking the European model as the reference. The development of the modern/colonial project started with the exploitation of the people, cultures and resources of the colony, rooting the beginning of the capitalist global system through a process of accumulation by dispossession. African people were brought to the colonies to exploit the mining sites and were used as animals for work. Today we understand the settlement of the Pacific region of Colombia based on the patterns of exploitation and forced labor of black people. The indigenous that were not decimated, also served as labor force and farmers that paid a tribute and provided food to mining enclaves (Jaramillo Jaramillo, 2011).

'Coloniality' links the process of colonization of the Americas and the constitution of the capitalist world-economy as part of the same historical process initiated in the sixteenth century. The construction of the global racial/ethnic hierarchy was simultaneously and space-time contemporarily with the constitution of an international division of labor organized in center-periphery relations on a world scale. (Castro-Gómez & Grosfoguel, 2007).

Ethnic communities have been at the 'darker side' of all this modernization and development discourses. First, they were enslaved and subjugated for the development of the European center; after independence, and through internal colonialism, the peripheral regions of the country were seen as locations for extractive economies, from where natural resources were taken without leaving anything in return. Most of the national or international companies operating in these marginal areas of the country did not worry about giving back to the local communities. Even worse, these communities have been seen as an obstacle for development, as well as for the consolidation of the nation-State. Many economic and political elites have tried to limit the ethnic right to prior consultation on the basis that ethnic

rights impede the development of the country.⁵⁸ This rationale follows the logic of the modernity/colonial system that imbricated the racialized system with the capitalist system, and situated those inferior beings as a ‘problem’.

In the 20th century, development became the predominant discourse to discipline the periphery through the consolidation of the capitalist system, as Escobar (1995) points out. In this vein, multiple recipes were imported to the region, such as industrialization, eradication of poverty, universal education, privatization, free trade, and more recently sustainability and biodiversity (Escobar & Pardo, 2004; Ulloa, 2004). The new discourse of sustainability has allowed the development project to continue to exploit natural resources despite its limitations (Castro-Gómez, 2005, p. 81).

This discourse is part of the power matrix of biocoloniality (Cajigas-Rotundo, 2007), or the coloniality of nature (Ortega & Olivieiri, 2018). This new narrative and technological dispositive of control of nature and populations tries to accommodate the crisis of the development model due to the scarcity of resources and the limits of the reproduction of nature. “Contrary to what environmental social movements pursued through the radical reformulation of capitalism, in order to preserve nature, this perspective, driven by the corporate elites of the first world, reformulates nature in order to preserve capitalism” (Cajigas-Rotundo, 2007, p. 173). That is, finding ways to take care of the environment and its natural resources not for the sake of our planet’s health but to be able to keep producing and consuming a model based on economic growth.

As an indigenous leader told me in a conversation in Quibdó, “There is quite a contradictory vision: the policy of environmental conservation of the political class is an environmental concept that does not preserve the environment at all because they start from the premise that ‘the polluter pays:’ so those who have money contaminate as much as they like.”⁵⁹ Under this new paradigm, ethnic people are not only seen as obstacles for development, but have concomitantly started to play a role of ‘guardians of nature.’ The protection of biodiversity, thus, has been related to indigenous and black productive practices and they have been charged with the responsibility of taking care of natural resources, as a way to preserve the storage of the capitalist system, impeding that these ethnic groups choose how they want to develop themselves and relate to their environments (Wade, 2004). Thus, the biocoloniality

⁵⁸ The most recent attempt has been led by the political party *Cambio Radical* who submitted a law proposal to regulate the exercise of prior consultation (2018).

⁵⁹ Interview, Luz Mery Panche, legal representative of CENPAZ (Ethnic Coordinator of Peace); Bogotá, 21 December 2017.

or eco-governmentality of power essentializes the subjectivities of indigenous and black people, according to the interests of the modern/colonial project, by taking them as static individuals that do not change overtime and by equating them with the state of nature, as uncivilized, non-modern beings (Ulloa, 2004).

The development discourse was embedded in the expansionist project of the capitalist system to which the armed conflict in Colombia served as a vehicle for the economic elites to expand it. In fact, the concentration of land in the hands of the elites of the country has been one of the main roots of the conflict (Centro Nacional de Memoria Histórica, 2018) and that has persisted until the present (Segrelles Serrano, 2017).⁶⁰ During the armed conflict, regional landowners have financed paramilitary groups as a way to protect their properties, accumulate more land, and expand their businesses.⁶¹ Apart from their goal of getting rid of guerrillas, paramilitaries advanced, by illegal means, the development program of the State based on the expansion of agrobusiness such as oil palm crops. The most recent study about land by the *Centro Nacional de Memoria Histórica* (2018) concludes that the state has failed in advancing an agrarian reform and in adjudicating uncultivated lands.

As a result, millions of peasants, black and indigenous communities were displaced and the agrarian conflicts worsened (Chernick, 2007, p. 57; Grajales, 2013).⁶² With the support of the political and economic elites, paramilitaries transformed Colombian economic life, by appropriating “land, repopulating it with people loyal to them while creating sanctuaries for their business interests, including drug trafficking, ranching and mining” (Tate, 2015, p. 229). These economic links have remained present in the logic of the criminal bands and

⁶⁰ Based on the report *Radiografía de la desigualdad* by Oxfam (2017), the most recent data on the distribution of land in Colombia reveal that the country is the most unequal in Latin America. The report highlights that 1% of the larger farms occupy 81% of the Colombian land; the remaining 19% of land is divided between 99% of the farms. 0.1% of farms of more than 2000 hectares occupy 60% of the land. In 1960 29% of farms had more than 500 hectares, in 2002 the figure rose up to 46% and in 2017 the number reached 66%. 42.7% of big landowners claim not to know the legal origin of their land. Women only possess 26% of the land. Of the 43 million hectares with agricultural use, 34.4 are dedicated to livestock and only 8.6 to agriculture out of 22 million suitable for cultivation.

⁶¹ The phenomenon of paramilitarism had its origin in the bipartisan war of the 1940s and has accommodated to the political and economic context over time (GMH, 2013, p. 143). The status of paramilitarism in Colombia went on and off from legality to illegality, but the connections with the local and regional politicians, businessmen, and landowners was kept nonetheless in order to keep the territorial control of strategic areas. The narcotrafficking business also prompted the growth of paramilitarism during the 1980s, based on the alliance of narco-traffickers that wanted to avoid the extortion by the guerrillas and the right-wing paramilitaries that wanted to eliminate the guerrillas (García-Peña Jaramillo, 2005).

⁶² According to a study of the Centro Nacional de Memoria Histórica *Una nación desplazada* (2015), between 2005 and 2014, the number of displaced persons reached almost 3 million people.

post-paramilitary groups that did not demobilize, regrouped and re-armed after the demobilization process that took place under Uribe's government (OAS, 2006a, b).⁶³

In turn, by legal means, the Constitution of 1991 established the basis for the development of a neoliberal State (Vladimir Zambrano, 2004). Paradoxically, the Carta Magna deepened the democratization of the country, included peace as a right and obligation in its articulation, opened the door for the inclusion of ethnic minorities, but, in turn, legitimated an economic system that would worsen the inequalities of the country.⁶⁴

The Constitution democratized with one hand, but at the same time made official the implementation of neoliberalism with the other. To put only the most obvious example, the evolution of the levels of inequality, measured by the Gini index, occurred in Colombia as follows. During the 1960s and the first part of the 1970s, they fell systematically but very narrowly; in the 1980s, they behaved erratically; and from the 1990s, they increased (Guitérrez-Sanín, 2011).

In this scenario, the ethnic resistance for rights of the new ethnic-territorial organizations was determined from the beginning by the neoliberal global agenda, as well as the internal armed conflict, as interrelated phenomena. It is not a coincidence, for instance, that days later that the black community councils of the Truandó and Cacarica Rivers, in Chocó, got their collective territorial titles in 1996, their leaders were assassinated by paramilitaries (Arocha, 2005) backed up by a military operation that displaced around 15,000-20,000 people between the end of 1996 and the beginning of 1997 (Córdoba, 2015). As Escobar contends, forced displacement is an "integral part of the Eurocentric modernity" (2004, p. 54) as well as development, that seeks territorial, social, and cultural disintegration (Nubia Bello & Peña Frade, 2004).

Later on, during Uribe's presidential terms (2002-2006, 2006-2010), ethnic communities were placed at the crossfire since any leftist group, defenders of human rights and of territories were taken as accomplices of the insurgency. That period represented one of the most difficult decades for ethnic peoples and their territories. To the military strategy it was

⁶³ Under President Uribe's term, the government reached an agreement, the Santa Fe de Ralito Agreement, with the paramilitaries for their demobilization whose legal framework was framed in the Law 975 or 'Justice and Peace' Law, passed by Congress in 2005. More than 30,000 people demobilized under this policy, a figure that surprised even the government (Cubides, 2006). Some of the critiques of the Agreement pointed out the fact that the paramilitaries were acknowledged as another actor of the conflict, despite that they were not in arms against the State but, according to them, to defend it. Ten years after the Justice and Peace Law entered into force, ten general sentences have been issued, confirming the violent methods used by the right-wing paramilitaries, their structures, lines of command, nexus with cattle ranchers, and economic and political sectors. The different judges did not agree about whether paramilitarism has been a state policy, although all recognized its necessary collaboration (Verdadabierta, 2015).

⁶⁴ See Orozco Abad (1991) about the tensions between the social and economic dimensions of the 1991 Constitution.

added the deepening of the neoliberal policies. Until the Constitution of 1991, environmental legislation and the regulation of the energy-mining sector had been developed in line with the necessity of preserving the ecological systems; but from 2001 this understanding started to change and became more flexible for private enterprises to exploit these resources and attract foreign investment by deregulating Colombian environmental law and reducing the role of the State; as well as easing the conditions of the contracts, according to the requirement of multinationals (CINEP, 2012; PBI, 2011). For instance, between 2006 and 2010, more than 6,000 mining titles were approved, under conditions of corruption, technical negligence, and lack of institutional capacity to oversee the projects as the reports by Peace Brigades International (2012) and CINEP (2012) inform. The mining titling untied many social problems and accelerated the degradation of the Colombian ecosystems. “In fact, 80% of the human rights violations that occurred in Colombia in the last ten years occurred in mining-energy regions and 87% of the displaced people come from these places” (PBI, 2011). In many cases, the titles were granted without conducting the required prior consultation in ethnic territories, adducing that the natural resources below the land surface belong to the State.

The focus on the energy-mining sector as well as agribusiness continued under the presidency of Juan Manuel Santos (2002-2010). His government clearly stated from the beginning of the peace negotiations that the economic model of the country was not an object of discussion in Havana and it was not included in the agenda (*El Espectador*, 2016). The energy-mining policies of the Santos government, contained in the National Plans for Development 2011-2014 and 2015-2018, deemed the mega extractive projects as one of the locomotives for economic growth, and therefore they foster the export of the natural resources (PND 2010-2014).

In this vein, the Santos’ government, through the Minister of Mines and Energy, deployed a variety of legal instruments to favor and accelerate the allocation and development of oil, gas, biomass, and hydro projects (Bloque Iván Ríos FARC, 2012). In order to legitimize them, the official rhetoric of the government highlighted the value of these projects, deemed of public interest, contending that they would contribute to the development of the country and to finance the peacebuilding phase (DNP 2010, 2014). Here the rhetoric of the link between development and peacebuilding is clear, reproducing a colonial pattern that justifies structural violence for the ‘good’ of the modern/colonial project.

Many leftist leaders and social, peasant and ethnic movements saw that the peace agreement would facilitate the neoliberal model of President Santos, “in which the hegemony of the private and foreign capital ha[d] no limitations” (Congreso de los Pueblos, 2015; Blay, 2016); and many other experts and social leaders called the attention to the perpetuation of environmental conflicts during the peacebuilding period (after the Agreement entered into force) (Censat Agua Viva, 2016; Miller, 2016; González & Hernández, 2016; Zibechi, 2012, 2016). Yet, these movements do not represent the totality of ethnic communities, and many of them have lent their territories for exploitation to external companies or even have declared them as ‘Ethnic Mining Zones’, alleging that they want also to benefit of the economic development, as well as that it has been an ancestral practice of black people,⁶⁵ although it had been imposed to them through the colonial system.

2.5. Peace as the decoloniality of being

The ethnic-territorial organizations characterize themselves for resisting, for a long time, the armed conflict, the neoliberal projects, and the umbrella paradigm of the coloniality of power/knowledge/being. Through their practices of resistance, survival, and peacebuilding, they have aimed to decolonize not only the oppressed people, but also society as a whole, changing the power structures and the hegemonic imaginary about Afro and indigenous communities.

There is a long list of decolonial practices (of resistance and resilience) that they have been conducting since colonial times: we can talk about runaway slaves (*cimarronismo*) that established their own communities and self-government far from the colonial power; the appropriation of the figure of *resguardo* as a way to resist the colony and keep their languages, costumes, and cultures; the fight to recover their ancestral lands since the 1930s; the organization of ethnic-territorial organizations to protect their territories, lives, and culture; the recovery of their colonial memories and the nurture of their oral traditions from generation to generation; the establishment of peace communities – those that have declared their neutrality towards the conflict and refused to collaborate with any armed group – to ‘stay put’ against the armed groups (Masullo, 2015), whether it was the army, the paramilitaries or different guerrilla groups; the development of indigenous guards, as a non-

⁶⁵ Interview, social leader, Chocó, 10 August 2018. See also *Zonas Mineras de Comunidades Negras e Indígenas* (n.d.).

armed self-protection mechanism for their communities and territories;⁶⁶ the organization of civil strikes and *mingas* to demand the satisfaction of basic needs; the establishment of alliances with the Church, NGOs, and international organizations to strengthen their ability to defend their territories and rights; and even negotiating directly with the armed groups, such as the *nasas* did with the FARC in the 1990s in the Tolima region.⁶⁷

Building peace, for them, has never meant just the end of the armed conflict, but the end of the exclusion, discrimination, oppression, and violence that have suffered since the establishment of a racial, classist and gendered stratification of society. As members of the Black Communities Process (*Proceso de Comunidades Negras*) defend:

The political-epistemological commitment of peace is for us an opportunity for a true intercultural nation, a true multi-ethnic nation, a new perspective of social-ecological-economic integration that takes sufficient distance from capitalist development. [...] our hopes are not in a more benevolent and modernizing capital. [...] An economy for good living, frugal life and life care is an economy that can make war not to return to our territories (PCN, 2000: 6, quoted in Escobar, 2015).

The bottom line of their peace claims is the decoloniality of being: to remove those abyssal lines that impede interculturality, respect and co-existence of a plurality of cultures, ways of living and being, talking, and developing. They want to be treated and recognized as equal citizens, and not as enemies of the nation or, even worse, as non-existent. As Escobar (2012, 2015) argues, ethnic people are leading ontological resistances to survive the modern project. As ethnic people put it, they are not against development, rather they want to benefit from development according to their ways of life:⁶⁸

Social organizations are not against development, this is how the FARC and the government have seen us, and it is not that, but we want it to be a development according to our realities.⁶⁹

As an adviser of ONIC, the largest indigenous organization of Colombia, puts it: ‘When we refer to life plans or ethno-development plans, they [elites] say that we do not want hospitals or roads.’⁷⁰ This narrative of indigenous and blacks as obstacles for development has been nourished for centuries, and suggests that these communities live in poverty and scarce conditions because they reject development. On the contrary, they have been asking for a good health, education and communication systems to a State that treats their regions as

⁶⁶ Also some black communities have recently started to develop a black guard called ‘cimarron guard’.

⁶⁷ Interview, Luis Eduardo Calambás, representative of *Movimiento de Autoridades Indígenas-Gobierno Mayor*; Bogotá, 10 February 2018.

⁶⁸ See chapter 1 for more on the contestation of the concept of ‘development.’

⁶⁹ Interview, social leader from a black community council of the Middle Atrato River; Quibdó, 24 January 2018.

⁷⁰ Declaration in the seminar “Peace Studies, a decolonial look” organized by the Javeriana University; Bogotá, September 27, 2018.

empty of people and has unattended them for centuries. Many ethnic communities do reject development projects that mean extractivism from their territories, and thus, they have developed ethno-development plans for Afro and *planes de vida and salvaguarda*⁷¹ (safeguard and life plans) for indigenous peoples:

There is a trains collision: we talk about development around the life plans and ethno-development plans, and the government, basically from the policy that historically has been made in Chocó, that is extractivism, and they want to give more relevance to the governmental institutional presence than to the presence of ethnic institutions; that is, the country still does not understand that there is a new set of institutions in the country that is called community councils and indigenous cabildos.⁷²

An alternative development has been linked to peace from an ethnic dimension; it is not only a matter of putting an end to the armed conflict but also the fact that the survival of ethnic peoples and their territories is at stake. They have been dispossessed not only from their territories, but also from their beings, from what they are, and what they think. Peace, for them, is also truth; for that they have been proposing an Inter-Ethnic Commission of Peace, in the framework of the recent peace process, that not only addresses the narratives of the conflict but also goes back to the colonial wounds, to show the country how slavery and serfdom of blacks and indigenous have marked what they are today. “That is why the Truth Commission must make a decolonial process. We have to recognize that the history of Colombia has not been told yet. And above all, it should be interpreted through the difference.”⁷³ In the same vein, the historical Afro leader of CNOA (National conference of Afro-Colombian organizations) Emigdio Cuesta adds:

[...] for the Afro-descendant people, it means the recognition of their rights, of healing with history, with recognizing the contribution we have made to this country and opening up to an adequate inclusion of the Afro people in all the country's developments. They must negotiate with people, meet their needs, create tools that allow them to be but in a dignified way. I am not talking about giving them abundance, as the Gospel says, but until now the only abundant thing is death.⁷⁴

The decoloniality of being through peace is then a way to overcome the violence that has been a continuum in the subjectivation of black and indigenous communities in the last 500 years. For indigenous and blacks, war and peace can only be understood as a continuum of the violence that started in colonial times. Therefore, the internal armed conflict and the

⁷¹ Social and administrative agreements that establish actions, recommendations and guidelines to guarantee the cultural heritage of indigenous people as well as their existence.

⁷² Interview, Richard Moreno, member of the Ethnic Commission during the peace process and then Deputy Attorney for Ethnic Issues; Bogotá, 20 December 2017.

⁷³ Interview, Alejandra Llano, ONIC delegate for Cumbre Agraria & Ethnic Chapter; Bogotá, 16 March 2018.

⁷⁴ Interview, Emigdio Cuesta, Secretary CNOA; Bogotá, 5 March 2018.

neoliberal economic model are other manifestations of violence through which ethnic communities continue to be massacred, displaced, and abused. Local and daily peace initiatives, processes and practices are just another path to decolonize the imaginaries that relegated these populations to the exteriority of the nation-state.⁷⁵ Peace is then not an ideal end, but a means to break that continuum and create spaces to redefine and resituate their own subjectivities, as ongoing practices of identification, as the next chapter explores in depth.

In addition to the decolonization process of the being based on race and class, gender is the other matrix of power that is aimed to be overcome. The gender classification of people has been based on a patriarchal model that prioritizes men over women since colonial times, as the next section explores.

2.5.1. Afro and indigenous women in the (de)colonial process

Afro and indigenous women have been racialized, subordinated, and oppressed in different ways than men. In turn, from their situated knowledge and experience, they have resisted sexism, racism, exploitation, subordination, epistemic violence, discrimination and invisibilization, both as organized groups but also as community members in their daily lives.

The exploitation of black women and the systematic killing of indigenous women in colonial times inaugurated the construction of the contradictory representations that we have today of them as less than human beings, as servants, witches, midwives and sexually available. However, at that time also the seeds of their liberation were planted. The stories of struggle of several women in the colonial period have not yet been narrated. (Vergara Figueroa & Arboleda Hurtado, 2014, p. 13)

Since colonial times, racialized women were relegated to the bottom of the social pyramid. Their bodies were sexualized, dominated and violated by Spanish invaders, and the patriarchal system of the colony was replicated after the independence of Colombia by the creole and white elites through the mixed-raced discourse, but also within their own communities. Their exclusion has been based on physical features, production of knowledges, and ways of being.⁷⁶ As men, black women were treated as goods, and they were used for reproduction and maternity roles, giving birth to future enslaved people and raising the children of the white families (Grueso, 2006). In that sense, gender relations were imposed

⁷⁵ In Colombia, in the last twenty years, local peace initiatives have proliferated (González, 2010). Massive demonstrations for peace, civilian peace mandates, communities of peace, peasant farmer reserve areas (ZRC, for its Spanish acronym, *Zonas de Reserva Campesina*), Peace Labs, indigenous *mingas*, among others, are only some of the civilians' peacebuilding practices from the bottom-up.

⁷⁶ See more on this matter in Pena Mejía, 2016.

through a capitalist pattern of economic relations (Grueso, 2006). Sex and class were interrelated categories of exclusion.

The category 'women' as inferior to men has been essentialized to the point that even feminist discourses fail to understand that there is a plurality of forms of being women (Montanaro Mena, 2017). Decolonial feminism from the South (Lamus-Canavate, 2009; Espinosa Miñoso, 2014) called the attention about the universalization of 'women' and reintroduced in the debate the concept of intersectionality meaning the need to pay attention to other categories of analysis such as class, race, geographical origin, religion, sexual orientation, among others, along with gender. The Western feminist discourses that see the oppression of women just in gender terms are limited to understanding the reality of those women excluded by various factors that intersect.

I think that all institutions lack a way to think that the subject of rights is not only Afro, but also a woman, that can be rural and have some particularities: for instance, if she is a victim, she has certain rights. It implies a much more complex vision that considers their sexual orientation, and also the particularities of the territory they were raised in; or for instance, if they are producers, do they own their land?⁷⁷

As the naturalization of sexism, racism, and classism happened hand in hand, overcoming this intersectional oppression requires multiple process of decolonization of the being. Women's liberation is not a project with a single face, rather it is 'pluri-versal' (Lamus-Canavate & Grosfoguel, 2007, p. 334) since the forms of oppression vary, the ways to resist it are also plural.

The exercise of rethinking [*pensarnos*] as a step towards decolonization of Being implied recognizing our black female-black male Being as a historical subject configured from a relationship of subordination, which starts in the transatlantic trade, going through the slave relationship until a relationship of discrimination and exclusion today. But also, from a history of struggle for emancipation and liberation. (Grueso, 2006, p. 146)

For instance, the Black Communities Process has created spaces of reflection and action about what it means to be a black person, and in fact they declared, as its main organization's principle, the 'right to Be Black', the right to Be according to their culture, traditions, and worldviews. This is a firm statement against the hegemonic project that has negated them. This exercise of rethinking the being is at the core of trans-identities; it does not mean to go back to the identities previous to colonization, but to rescue those resisting aspects that have persisted into the present, along with other modern elements that have gained and are

⁷⁷ Interview, Dora Vivanco, Director Infance Program, CNOA (*Confederación Nacional de Organizaciones Afrocolombianas*); Bogotá, 10 February 2018.

important for their re-existence. This re-subjectivation process has taken two dimensions: from a policy perspective, it has implied a struggle for recognition through the defense of their rights, the change of the Constitution, and the articulation of ethnic territorial organizations; and from a political perspective, the constitution of new political subjects.

The reflections about what means to be a black woman took place in the middle of the armed conflict. As seen before, black and indigenous movements developed concomitantly to the exacerbation of the conflict in the regions with a higher presence of ethnic people, particularly in the Pacific coast. The phenomenon of gender-based violence (GBV) happening previously to the armed conflict got exacerbated during the war, when masculinities get hypersexualized. The brutalization of the body affects both sexes, but in a different manner. Although men also suffer from GBV, women do in higher percentages. Both figures go under-represented because of shame and fear, as well as the lack of means and guarantees to talk about it. Rape during war responds to a dynamic related to the exercise of power relations; women's bodies are seen as war booties (as in colonial times), a sign that the enemy has not been able to protect their women, and a way to promote soldier solidarity. As a result of the unequal gender relations, women also suffer from higher levels of impoverishment. They also have more difficulties to flee, and when they do, inside or outside the country, they become the most vulnerable population to sexual abuse not only by the enemy, but by their partners, other civilians, and even their protectors.

In addition to GBV, the armed conflict has represented a huge impact for the social fabric of the communities, the preservation of their cultures, as well as their bonding with the Earth. The relation of indigenous and black women with the territories reaches a different dimension than that of men. As women tend to stay in their communities, raise the children, and cultivate social relations, they become more attached to their lands as the social space where they are and construct their communities. That is the reason why ethnic women have become strong resisters against forced displacement, and when they cannot stay, they are the first to fight for the return to the territory.⁷⁸ The dispossession of their territories brings along the loss of their ancestral practices and knowledges, the rupture of the social fabric and family bonds. In a way, it profoundly affects their identities: who they are and want to be.

The issue of black women is different from the Western ones because machismo came from the master. In black communities, women played a strategic role because of matrilineality; the bond with the land is created through women

⁷⁸ Interview, Libia Grueso former historical leader of the Blacks Community Process, and current national officer of the UN High Commissioner Office for Human Rights; Bogotá, 21 February 2019.

because men were simply passers-by. Women stayed in the territories and that determined much the forms of relationship and family in the Pacific. Men used to work outside the community and inside women hold the authority, and build the territory, and relationships. In many occasions, armed groups could not displace the people because women resisted in the territory and only relied on attacking men. And then the *paracos*⁷⁹ began using the conquest and colonization of women. When the women left, they were able to enter the territory.⁸⁰

As women, it [war] affected us [indigenous] much more because we are the ones who live in the territory, who are left alone, with the anxiety that someone arrives and get us hurt, raped; and as indigenous women we are not used to dialogue with strangers and as they do not speak Spanish, they [the armed groups] say bad words to them; one cannot go down to do her needs in the river or to collect water; or in the case of the *Elenos*,⁸¹ they put mines all over affecting our free movement in the territory. It also affects our spiritual and cosmogonic part because we are ruled by the spirits of nature and plants and the god of the Pankoné forest, and these spirits are being altered.⁸²

The Constitutional Court of Colombia recognized that indigenous and black populations, and specially women, were more vulnerable to the conflict (*Auto 092 de 2008*).⁸³ Its judicial *Auto 004 de 2009*⁸⁴ about the protection of fundamental rights of indigenous people displaced or at risk of displacement for the armed conflict, even alerted about the risk of cultural and physical extermination of many indigenous groups (Rey-Malquiera Palmer, 2015, p. 35) and established a series of measures for the State to prevent that from happening and respect their rights. Yet, as seen, women themselves have taken the lead to defend their territories and lives, creating spaces in the political, economic, and cultural realms. Theirs is many times an embodied resistance that recovers the memory of the conflict in *alabaos* – funeral and praise songs; and transmits their culture, among other practices, reproducing their ways of life. Likewise, they have established ethnic women’s organizations and/or women’s spaces within the ethnic-territorial organizations.

2.6. Conclusions

This chapter has shown the continuities of the coloniality of power/knowledge, especially since colonial times. I argued that the armed conflict is not a separate phenomenon but

⁷⁹ Colloquial term to refer to paramilitaries.

⁸⁰ Interview, Libia Grueso (cit.)

⁸¹ As members of the ELN are called in Spanish.

⁸² Interview, Lucy Chamorro, women’s representative of FEDEOREWA; Quibdó, 3 February 2018.

⁸³ *Adopción de medidas para la protección a mujeres víctimas del desplazamiento forzado por causa del conflicto armado*. See <https://www.corteconstitucional.gov.co/relatoria/autos/2008/a092-08.htm>

⁸⁴ *Protección de los derechos fundamentales de las personas y los pueblos indígenas desplazados por el conflicto armado o en riesgo de desplazamiento forzado, en el marco de la superación del estado de cosas inconstitucional declarado en la sentencia T-025 de 2004*. See <https://www.corteconstitucional.gov.co/relatoria/autos/2009/a004-09.htm>

another manifestation of the oligarchic political and economic system of Colombia, that have reproduced the racial, classist, and gendered exclusions that were established in colonial times through a matrix of power by the colonizers first and the creoles after. Thus, the search for peace, for many ethnic communities, is a process that implies the decolonization of their beings. Since the imposition of the modern/colonial worldwide paradigm, these populations have been continuously dispossessed from their identities and territories in many different ways.

The seed of resistance also took roots in colonial times and have taken different forms and shapes. Of special relevance has been the ethnic-territorial movements that since 1970-1980s mobilized a completely different discourse about what it meant to be (men and women) indigenous and black people. These movements trespassed the modern paradigms and opened spaces to re-signify, politicize, and reinvent their identities. What I have called trans-identities are ongoing and non-essentialized process of subjectivation that put in question the hegemonic subject in the Colombian society, and put in value those epistemes others, being others, and practices others. Their major achievement was to secure Constitutional rights for their identities, culture, and territories through the 1991 Constitution and the Law 70 of black communities of 1993.

The lack of political will plus the impacts of the armed conflict have represented major obstacles for the implementation of these rights. But, in turn, the ethnic collective actions and practices have been an opportunity to resist the conflict that has devastated their territories. In addition, they have faced the pressure of neoliberal projects that expanded after the 1991 Constitution in the form of energy-mining programs, agribusiness, single-crop farming of oil palm and coca leaves, among others crops. The conflict and the neoliberal project have been interrelated phenomena as the regional elites used paramilitaries to empty lands of indigenous, black and peasants, in order to secure land titles and expand their businesses. The presence of the State in these territories has been mainly militarized and absent in terms of the provision of basic needs, thus increasing the historical division between the center and the periphery that has given shape to the nation-State. The imaginary of the periphery as violent and, in turn, rich in natural resources has reproduced a dynamic of abandonment and extractivism of these areas. Its inhabitants had been omitted as non-existent until they made their voices heard through the 1991 National Constituent Assembly, but still they remain to be seen as obstacles of development and modernization.

Along with their practices of resistance to the armed conflict and to the expansion of the extractive economies in their territories, ethnic-territorial organizations have also defended a negotiated solution through a peace process. The start of the peace negotiations between the government of President Juan Manuel Santos and the FARC in 2012 was welcomed by the ethnic communities and opened the door for their mobilization with regard to the debate about who gets to define peace, how the peace process and a potential peace agreement may impact their rights and territories, and how the ethnic peoples themselves could participate in the whole process, as is explored next.

3. The Ethnic Chapter of the Peace Agreement: A decolonial take on peace?

Ethnic peoples in Colombia have worked for peace through their daily practices of resistance at the community level and through their support for a political solution to the armed conflict for many years. When the government of Juan Manuel Santos and the leadership of the FARC agreed to negotiate and seek a political solution to their decades-long conflict in 2012, many indigenous and black territorial organizations felt excluded from the bilateral process and started a national and international campaign to have a seat at the negotiating table, in order to protect their ethno-territorial rights. Through unstructured interviews with all the main actors involved in the process, this chapter aims to answer the following questions: How did the ethnic communities manage to include the Ethnic Chapter into the Agreement? What discourses of peace(s) were mobilized by the ethnic groups in their struggle for a seat in La Havana? How did ethnic identities come into play during the peace agreement between the government of Colombia and the FARC? What does the Ethnic Chapter represent for the historical struggle of the ethnic peoples of Colombia?

In this vein, I argue that the Ethnic Chapter was the result of an intercultural construction among the multiple ethnic parties, in what could be understood as another ‘decolonial struggle’ against the structural exclusion and discrimination that ethnic minorities face in Colombia. The peace process seemed to represent a window of opportunity for ethnic peoples to mobilize their worldviews about peace (and conflict). Yet, it could be affirmed that the coloniality of power that has kept the ethnic groups as an exteriority of the Colombian nation has been present during the peace-making process.

3.1. The road to La Havana: The ‘Key to Peace’

The drafting of the 1991 Constitution had been the only time ethnic organizations had had the opportunity to participate in a peace-related process at the national level, as discussed in the previous chapter.⁸⁵ The levels of violence after the approval of the new Constitution did not decrease despite the political opening. Rather, the war between the paramilitaries, the guerrilla and the State aggravated in the 1990s. By the end of the decade, Andrés Pastrana

⁸⁵ See Vega Luquez (2019) for an account of other peace agreements between the indigenous groups and the FARC at the local level and also for an indigenous view of the struggle for the ethnic chapter.

(1998-2002) won the presidency for being considered the candidate “most likely to reach a peaceful settlement with the FARC” (Nasi, 2006, p. 228). Despite the lack of support of the army and the establishment, Pastrana met the FARC conditions to initiate negotiations.⁸⁶ The agenda for the negotiations included 12 topics, subdivided in turn into 48 subtopics: economic, political and agrarian reforms, illicit crops, human rights, international humanitarian law, natural resources, justice reform, political reform; State and armed forces reform, and international relations (Ríos Sierra, 2017, p. 74-75). This was a peace process without a clear methodology, and with a maximalist agenda that acknowledged the structural conditions of the conflict and was open to debate structural reforms.

By that time the FARC were stronger than ever and used the negotiations strategically to strengthen, train and increase its ranks. Likewise, the paramilitaries, one of the spoiler (Stedman, 1997)⁸⁷ groups of the process (Nasi, 2006), expanded during these years and “went from 6,000 to 12,000 fighters and obtained key areas of the Atlantic coast and control of urban territories with a former guerrilla presence such as Barrancabermeja and Medellín” (Centro Nacional de Memoria Histórica, 2014, p. 208), as well as in the “northern cattle regions along the Magdalena River, and [...] in the coca-growing areas of Putumayo” (Chernick, 2001, p. 95).

The State advanced parallel talks with the FARC in Caguán and with the US government to approve an aid program to fight narco-trafficking, modernize its army, and combat the guerrillas. Plan Colombia was originally conceived by Pastrana as a Development Plan in 1998 but it was signed as a counter-narcotics and counter-insurgent plan in 1999 (Barreto, 2016). The US logic was that eradicating the illegal crops would significantly affect the

⁸⁶ The demilitarization of 5 municipalities in El Caguán, Meta and Caquetá departments, approximately 42,000 Km². According to former president Andrés Pastrana: “Moreover, I did not invent the demilitarized zone, it was in the law; Samper [the previous president] had made a demilitarized zone to recover soldiers. Here the United Nations had formed a working group, of which Juan Manuel Santos was part, to present to the next president of Colombia, whomever it was, ideas on how to make peace; and the first thing that was considered was that if the dialogue could not be done outside of the country, we are going to do it inside and we are going to demilitarize some zones with a specific normativity. All the international press talked about the demilitarized zone being equal to Switzerland but they did not say that in Colombia it is the zero point, zero. You have to understand the enemy, Marulanda [historical leader of the FARC] did not trust us. The people do not remember but during Gaviria’s term, they were betrayed, they were bombarded in Casa Verde while they were negotiating. It was Mr. De la Calle and Gaviria that bombarded them on the day of the election for the Constituent process. That way they knew that if Pastrana was going to attack them, they knew that they could escape through the jungle. There the guerrilla was born, they were in their territory, and the country did not understand that. The demilitarized zone was to give them confidence as an escape outlet if they were betrayed.” Interview, Andrés Pastrana, former President of Colombia; Bogotá, 10 May 2018.

⁸⁷ Spoilers, according to Stedman (1997), are leaders and parties who believe that peace emerging from negotiations threatens their power, worldview, and interests, and use violence to undermine attempts to achieve it.

finances of guerrillas and paramilitaries. Yet most of the aspersion was conducted in the southern areas of the country, strongholds of the FARC and not in the paramilitaries-controlled areas, which is telling in terms of the counter-insurgent strategy (Barreto, 2016; Ríos Sierra, 2017, p. 80).

In February 2002 Pastrana put an end to the peace talks when the FARC kidnapped a commercial airplane, among other recent provocations. The negotiations failed for a series of reasons, among them, the lack of willingness by both parties; the action of spoilers such as the opposition of the paramilitaries in connivance with the armed forces; the lack of clear rules for the use of the demilitarization zone (finally converted in a training camp and refuge for the FARC); the maximalist agenda that impeded any agreement during the three and a half years of negotiations; as well as the parallel negotiation of Plan Colombia. By the end of Pastrana's term, most of the population was tired of peace talks and turned their vote to a candidate that promised to put an end to violence by military means. Álvaro Uribe won the presidency in 2002 with a large support for a military campaign in the middle of an international context immersed in the discourse of the war on terror. During the eight following years, the government denied the armed conflict and therefore any possibility of peacemaking, and started a war against 'narco-terrorism'.

Uribe's successor, President Juan Manuel Santos, former minister of Defense, after two years in the presidency, surprised the public by stating that he had the 'key to peace.' He was not only recognizing the armed conflict, but also proposing a negotiated solution to it. From Minister of War (2006-2009) to Nobel Peace Awardee (2016), Juan Manuel Santos saw first-hand how the State had achieved territorial control in many areas, but in turn the FARC had adapted to the new phase of the war and resisted in the frontier areas of the country. The armed group still counted with 8,000 combatants and had an effective presence in almost 200 municipalities, while the ELN had 2,000 members by 2012 (Ríos Sierra, 2017, p. 109). The government knew that keeping the war going would have taken an expensive and long process to military defeat the guerrilla; and the FARC was aware that they would not reach power through armed means.

Under these circumstances, the government of Santos had exploratory and secret talks with the FARC delegation to reach an agreement about a peace agenda in early 2012. A few months later, in August, both parties made public that they had agreed upon the "General Agreement to End the Conflict and Building a Stable and Lasting Peace". The Agenda, contrary to that of Caguán, was more feasible, containing six points for the termination of

the conflict and establishing the basis for building peace. As the Chief of the Government Delegation Humberto De la Calle and the High Commissioner for Peace Sergio Jaramillo insist, the negotiations in Habana were not about building peace, but establishing mechanisms to build it during the post-agreement phase with the contributions of the entire society.⁸⁸

The exploratory talks set a six-point agenda that addressed the main issues that had made the protracted armed conflict endure: first, the two historical demands of the FARC, rural reform (point 1) and political participation (point 2); then the voice of the victims (point 5), as the conflict had accumulated, by the time negotiations started, more than 8 million since the 1960s; point 4 addressed the issue of illicit crops and narco-trafficking, which had been the main fuel of the war since the 1980s. The other two points related to the termination of the conflict: point 3 on demobilization, abandonment of arms, reintegration, and bilateral ceasefire and cease of hostilities, and finally the mechanisms for the implementation and verification of the process (point 6). Yet, the FARC did not have enough leverage to include structural reforms of the economy and the military as in previous peace attempts.

Negotiations initiated in Oslo in October 2012 and had The Habana as the main headquarter for the rest of the dialogues. The Final Peace Agreement was reached four years later on August 26, 2016, much later than the government had desired.⁸⁹ The government opted for the validation of the agreement through popular vote in a referendum held on October 2, 2016, where the No vote won by a small margin of 0.47 points (50,23 % voted no – 6.424.385 people – vs. 49,76 % that voted yes – 6.363.989).⁹⁰ This enormous setback caught by surprise not only the government but even the leadership of the No campaign, represented by the former president Álvaro Uribe and his team.⁹¹ The government's negotiating team

⁸⁸ Interview, De la Calle; Bogotá, 9 January 2018; and Sergio Jaramillo, High Commissioner for Peace; call, 21 February 2018.

⁸⁹ Interviews, several members of the Office of the High Commissioner for Peace (OACP, *Oficina del Alto Comisionado para la Paz*); Bogotá, 2018.

⁹⁰ The question in the Referendum was: "*¿Apoya usted el acuerdo final para la terminación del conflicto y la construcción de una paz estable y duradera?*" (Do you support the final agreement for the termination of the conflict and the construction of a stable and lasting peace?).

⁹¹ One of his collaborators would reveal later on during an interview that their strategy was to manipulate the information provided in the campaign making it fit for each specific audience. The senator and former President Álvaro Uribe opposed the negotiations from the beginning and when the agreement was reached, mobilized a 'No' campaign, so called 'Civil Resistance', to reject the agreement in the referendum, arguing that the FARC were being granted excessive benefits and that the country would become 'castrochavista' in reference to the economic and political models of Cuba and Venezuela. His discourse thus varied from the rejection of a negotiating exit to the conflict to that of a 'better agreement is possible'.

manoeuvred quickly and invited the ‘No’ main leaders to present their suggestions for the adjustment of the agreement.

During a two-month renegotiation process, the FARC delegation and the government reopened the dialogue and nuanced some of the contents of the Accord, for instance, reassuring that nothing agreed would affect the protection of private property; impeding that the Agreement was integrated as part of the political Constitution; limiting who could be elected as magistrate for the Special Jurisdiction for Peace and that its ruling would remain under the control of the Constitutional Court; establishing restricted limits to the freedom of movement of condemned people; and further specifying the language regarding the gender focus, among other points (*Semana*, 2016). The new Agreement was approved by Congress on November 25, 2016. Despite the Congressional back-up, the failure of the referendum deeply disappointed the general population in favour of the Agreement, as well as the communities affected by the conflict. For these voters it was painful to know that a large part of the population rejected the Peace Agreement and preferred the continuation of war. Interestingly enough, the results of the referendum show that the population of the municipalities more affected by the war and still under control of armed groups voted Yes while in the departments less affected by the conflict, closer to Bogota and its surrounding departments, the ‘No’ obtained the majority of votes. The urban-rural divide was also illustrative of the social dynamics of the conflict, since most people in the urban areas, as it is commonly said in Colombia, saw the war on TV.

In addition, the polarization of society regarding the peace agreement could be explained by the campaign of Uribe during his 8-year government which was supported by the hegemonic media, mainly Caracol Radio and RCN (López de la Roche, 2015, p. 23). Uribe managed to establish a strong abyssal line between friends and enemies, between the good people – those supporting his previous government and its military strategy – and the bad guys – any person that was critical of his vision about the war was delegitimized as member of the ‘terrorist group’, including black and indigenous groups (López de la Roche, 2015, p. 7). The loss of popular support of the FARC, due to recurrent attacks to the civil population and its involvement in the drug market, did not help to mobilize the public opinion in favour of the agreement. In addition, the character of the negotiations as an elite process with a very controlled participation of the civil society impeded that the population apprehended and appropriated the agreement and its contents.

In the middle of the peace negotiations, both ethnic peoples and women's groups lobbied and advocated to enrich the Agreement with ethnic and gender perspectives. Both processes were supported and catapulted by the international community (ONIC, 2015; Vargas & Díaz Pérez, 2018) and, in turn, the government bragged about the inclusivity of the text both inside and outside the country.⁹² The government opened the door to work with a Sub-Commission of Gender in September 2014, made of 10 members of both delegations; yet, the government was more reluctant to include the ethnic organizations in the talks, as the next section describes.

3.2. Breaking into the bilateral peace process

The peace process has been seen by many sectors of the Colombian society as an elitist and state-centric process between the main leaders of the government and the Secretariat of the FARC. The government of Juan Manuel Santos wanted to control the process and avoid participatory spaces that could be out of their hands, as it was learnt from the popularized experience of the Caguán negotiations. In addition, the government wanted to conclude the negotiations as quickly as possible in order not to tire the citizens and not to have them overlap with the presidential elections of 2014, which contributed to the decision of avoiding lengthy processes with social groups.

There was a big discussion about how the participation of society should be; we had the experience of Caguán and it was very dramatic for Colombians to see the FARC in that demilitarized area and then know that they had kidnapped, extorted, self-trained, and especially drank whiskey with ambassadors. Above all there were many delegations of the civil society that went there to speak, yet no document was signed nor advance in the negotiations made during the four years. Well, we really had to break with that, to show that this process was going to be different from Caguán, and that difference also had to do with how participation was going to take place because we did not think the Agreement was to develop all the issues that interest the country but to develop some essential points that we considered necessary to end the conflict and to settle the peacebuilding, understanding that the construction of peace came later.⁹³

Four mechanisms were established for the participation of civil society. First, the government organized civil forums in Bogotá and in other regions to discuss the five first

⁹² I personally heard the Minister of Interior Juan Fernando Cristo at a conference in American University in Washington DC, congratulate the Agreement for its inclusivity. "El Proceso de Paz en Colombia", Washington School of Law, 9 June 2017.

⁹³ Interview, Elena Ambrosí; Bogotá, 16 February 2018. Ambrosí was a key piece within the Office of the High Commissioner for peace and right hand of Sergio Jaramillo. Currently she is Victim's Attorney of the Attorney General's Office of the Colombian government.

points of the Agreement.⁹⁴ Second, each side of the negotiation could invite two experts to give advice to the negotiating teams about the different topics discussed;⁹⁵ third, any citizen or social group could send proposals through an online platform. Finally, five delegations of 12 victims each went invited to La Havana to share their experiences, memories, and needs with the peace delegations. Four Afro-descendant and four indigenous leaders were invited to be part of these audiences, yet, the space was conceived to give voice individually to the victims of the conflict but those were not invited as collective representatives, disrespecting their collective rights as Afro and indigenous victims.

When they invited Francia Márquez as a black victim to Cuba, there was the argument that [the Afro-Colombians] were participating because she was invited, and Francia was very clear in saying that she was not going as a victim but as representative of black people to claim their collective rights, including territorial rights, collective reparations, and also a matter of recognition.⁹⁶

The ethnic groups considered that this participation did not consider the special status of indigenous and Afro peoples of Colombia, despite the fact that they are constitutionally recognized as peoples with particular collective rights in terms of governance, autonomy, and culture, as well as in terms of justice, truth, and reparations according to the ethnic victims' decrees of 2011.⁹⁷ Their condition as *collective* peoples, thus, was neglected. Ethnic groups did not want to be included as a differential category, such as gender or age, that was being negotiated for, but rather, wanted to self-represent themselves as political subjects and subjects of collective rights.

⁹⁴ The contributions of the forums were processed and sent to La Habana to serve as inputs for the negotiators at the table, but nothing ensured that they were taken into account. An anonymous member of the High Commissioner for Peace Delegation affirmed that the FARC were not consulting the materials of the website with the contents of the forums, and the government had to warn them about it.

⁹⁵ Despite the multiplicity of peace experiences and lessons from the local level, the government mainly invited international and national experts for advice.

⁹⁶ Interview, María del Rosario, 'Charo' Mina, one of the historical leaders of the Black Communities Process and a member of the High-Level Panel with Ethnic Peoples since March 2017; Skype, 10 January 2018.

⁹⁷ Decreto Ley de Víctimas No. 4633 de 2011 "Por medio del cual se dictan medidas de asistencia, atención, reparación integral y de restitución de derechos territoriales a las víctimas pertenecientes a los pueblos y comunidades indígenas"

(<http://www.centrodememoriahistorica.gov.co/descargas/registroEspecialArchivos/Decreto4633-2011-ley-de-victimas.pdf>); & Decreto Ley No. 4635 de 2011 "Por el cual se dictan medidas de asistencia, atención, reparación integral y de restitución de tierras a las víctimas pertenecientes a comunidades negras, afrocolombianas, raizales y palenqueras"

(<http://www.centrodememoriahistorica.gov.co/descargas/registroEspecialArchivos/4635-2011.pdf>)

3.2.1. In search of intercultural translation: CONPA and the Ethnic Commission

From the beginning of the peace process, various ethnic groups tried to gain a space at the Table, each one of them on their own.⁹⁸ But as time went on, they have not gained any specific space in the negotiation. Black organizations realized that they needed to converge in an articulated lobby campaign to put real pressure on the government, as suggested by Gimena Sánchez-Garzoli, from the Washington Office on Latin America (WOLA). In a conversation at the end of 2013 between Marino Córdoba, the international representative in Washington DC of AFRODES, and Richard Moreno, the legal presentative at that moment of the Inter-Ethnic Forum of Solidarity of Chocó (FISCH).⁹⁹ discussed the idea of creating a platform that brought together the different Afro movements and the organization was born:

We began to discuss how to participate, and Marino came with the idea from Washington to create a space that brought together regional and national processes around peace and we decided to create CONPA. When the idea matured, we called PCN and other organizations and called a first Assembly in Quibdó to define principles, criteria, procedures so that it would not become another space of representation, but a space for direct dialogue with the government on issues of peace.¹⁰⁰

These two leaders from Chocó immediately discussed the idea with Carlos Rosero and José Carlos Caicedo, both leaders of PCN.¹⁰¹ From these embryonic ideas, they were able to put into place a National Afro-Colombian Peace Council.

⁹⁸ Early in December 2012, the major indigenous organization ONIC and the strongest regional indigenous organization CRIC, along with others local and regional organizations, presented an Ethnic and Popular Proposal of Peace in which they welcomed the peace process but also stated that they did not feel represented by it. The proposal reaffirmed that the indigenous movement had their own agenda for peace, as they had already been building peace for years in their territories when others had brought the armed conflict to them. Likewise, the different regional afro territorial organizations also manifested their willingness to participate in La Havana. To start with, both afros and indigenous attended all the forums organized by the Peace Table. There, on behalf of most of the peoples of these groups, afros and indigenous presented their own proposal. They came together with the Agrarian Unity Table (that brought peasant organizations together), to present an inter-ethnic proposal in the forum. The proposal was on political participation and emphasized their own ways of participation, the lack of guarantees to participate, respect for these guarantees, and free and informed consultation. Another occurrence of inter-ethnic and peasant coordination emerged in 2013. This led to an agrarian strike that denounced the country's agrarian crisis. This crisis was caused by neoliberal economic policies, that, since the adoption of the Constitution of 1991, had negatively affected small and medium sized peasant farmers (Coscione & García Pinzón, 2014). The Agrarian, Peasant, Ethnic and Popular Summit (Cumbre Agraria, 2013) emerged from this national agrarian movement. The organization *Cumbre* had its own demands of peace with social justice (Cumbre Agraria, 2016). ONIC and PCN made part of *Cumbre* since its foundation, and this space allowed them to think together about an 'ethnic peace'. See more in Vega Luquez (2019).

⁹⁹ This Forum was born in 2001 to articulate the different local peace initiatives of the community councils and cabildos of Choco (see more in Chapter 5).

¹⁰⁰ Interview, Richard Moreno (cit.).

¹⁰¹ Interview, Carlos Rosero, PCN representative; call, 20 April 2018.

CONPA emerges from conversations in Washington with friends of mine such as Gimena Sánchez; the analysis we made of the pre-agreements was that there was no ethnic variable and we were not reflected in the agreement. They forgot that the country has an ethnic, cultural, and gender diversity. CONPA is the result of a history of attempts to create cooperation with other Afro communities. It was a new exercise in a conjunctural issue. If we were not there, we simply would not appear. The bet was to win the support of the United States. But AFRODES alone could not be a strong voice, we needed more voices to be more successful.¹⁰²

CONPA managed to include nine Afro organizations from the national and regional levels (see table 2). Not everybody at the core of the organizations were convinced with the process, aware of the difficulties to achieve something, but those who were led a national and international campaign to secure direct interlocution in La Havana.¹⁰³ Together, they elaborated an Afro-Colombian Peace Agenda, fruit of their historical struggle for rights, their tradition of rejection of the armed conflict, and the analysis of the drafts that were being discussed in La Havana (López Patiño, 2015). This articulation of black organizations was extremely significant given the historical lack of coordination among them and their divided strategies to fight against racism, exclusion, and coloniality. As seen in the previous chapter, black organizations have traditionally split into many groups due to their different views regarding how to claim ethnic differential rights and/or racial equality.

By the end of 2015 when the peace process was close to an end, neither indigenous nor black groups had been able to gain a space at the negotiations table. The UN Representative of the High Commissioner Office for Human Rights, Todd Howland realized that both indigenous and black organizations were trying to do the same separately and invited all to a meeting to discuss their approaches.¹⁰⁴ At that point, they understood that they also needed to sum up efforts in order to face the strong and excluding position of the government. Despite some reluctance to unite energies due to historical rivalries,¹⁰⁵ first ONIC and then *Gobierno Mayor* decided to join CONPA in order to create an inter-ethnic platform:¹⁰⁶ the Ethnic Commission for Peace and Territorial Rights was launched on 8 March 2016 (see table 2).

¹⁰² Interview, Marino Córdoba (cit.).

¹⁰³ Interview, Hugo Silva, ACONC representative, Ethnic Commission; Bogotá, 7 March 2018.

¹⁰⁴ Interview, Luis Ferrnando Arias, *Consejero Mayor*, ONIC; Quibdó, 13 September 2018.

¹⁰⁵ Edgar Velasco: “A part of ONIC did not like our arrival and another part of the Afros didn’t either. There was some resistance. After the negativity of leaders and Afros, they realized that we were in a broad process and we could not be denied to be part of the space. Finally, Luis Fernando [from ONIC] intervenes and says that this is an ethnic struggle and a historical process, and that we could not lose. We formally participated in the launch of the Commission.” Interview, Edgar Velasco, adviser of the Indigenous Permanent Table and member of *Gobierno Mayor*; Bogotá, 14 March 2018.

¹⁰⁶ The other three major indigenous organizations AICO (*Autoridades Indígenas de Colombia*), OPIAC (*Organización Nacional de los Pueblos Indígenas de la Amazonía*) and CIT (*Confederación Indígena de Tayrona*) internally assessed the idea of joining the Commission and decided to stay apart for several reasons, such as the fact that the endeavor was seen as impossible due to the timing or that the discussion was between those who were at war. Velasco, from *Gobierno Mayor*, explains it: “Neither AICO, nor CIT, nor OPIAC

Table 2. Members of the Ethnic Commission

Organizations	Representatives	
	AFRODES	Marino Córdoba
	PCN	María del Rosario Mina
	FISCH	Richard Moreno
CONPA, National Afro-Colombian Peace Council	Pastoral Afrocolombiana Chocó	Padre Sterling Londoño
	CLAF	Javier Marrugo
	CNOA	Ariel Palacios/Emigdio Cuesta
	Red de Mujeres Afrocolombianas KAMBIRI	Diana Martínez
	ANAFRO	Not identified
	ACONC	Víctor Hugo Silva
	ONIC	Luis Fernando Arias / Armando Valbuena
Autoridades Tradicionales Indígenas de Colombia- Gobierno Mayor	Asdrúbal Plaza / Edgar Velasco / Luis Eduardo Calambás	

The Ethnic Commission is a national, autonomous, plural, participatory and self-representative body, a product of the self-government and autonomy of the ethnic peoples. Its constitution can only be understood by looking at how the conflict affected their cultures, communities, and beings as ethnic peoples:

Afro and indigenous people have been the most affected by the armed conflict. The Colombian Pacific territories have had the highest concentration of armed groups. There have been the most horrendous massacres, the largest displacements, the fiercest battles. There they have nested drug trafficking, poverty, abandonment. In addition, our territories, indigenous reserves or community councils, constitute 70% of the territory of the Colombian Pacific. That makes us worthy to be consulted on any issue of agrarian reform or policy (Córdoba, in Molano Jimeno, 2016).

The multiple ethnic groups shared a common horizon of peace different from the top-down government-driven approach, and they managed to establish an intercultural translation not only between indigenous and black groups, but also among each of them, in order to overcome past leadership rivalries. Their common agenda allowed them to have a common voice to face the coloniality of power that excluded them from participating.

3.2.2. International and national activism of ethnic groups

[entered the process] because the CIT said that there were no Afro there [in their territories], the AICO said that the others wanted to create another Panel above the Mesa [Indígena – body of representation before the government]; and those of OPIAC did want to, but they had internal problems and they could not decide who would represent them. The CIT and the OPIAC were at the public audience though” (Interview, Edgar Velasco, cit.).

The next strategy to be invited to La Havana was to develop international and national advocacy campaigns in order to get their case into the public sphere and to break into the elitist process. For blacks and indigenous, external allies have been always fundamental in their vindication of rights. At the international level, thanks to the presence of Marino Córdoba in Washington DC and the support of WOLA,¹⁰⁷ CONPA was able to tour in the USA in 2015 and met with the Congressional Black Caucus; the Coalition of Black Trade Unionists (CBTU); White House representatives; the Norwegian Ambassador to the US; and the Colombian Ambassador to the US - Luis Carlos Villegas. Following that visit, at the request of CONPA, US congressman Hank Johnson travelled to Colombia with a delegation of members of the CBTU to encourage the Colombian government to include the voices and proposals of the Afro-Colombian community in the peace process (Sánchez-Garzoli, 2017). CONPA also created links with USAID, the US Special Envoy Bernard Aronson, and the Representative of the UN High Commissioner for HR in Colombia, Todd Howland. All these contacts played an important role because they echoed the ethnic voices and interceded for them with the Colombian authorities on several occasions. While all this international lobby had been praised by the ethnic communities as the *sine qua non* condition without which the Ethnic Chapter would have not been possible, the members of the government denied this idea and minimized the international community's role.¹⁰⁸ The government's disdain of the influence of the international community seems to have been more of a public strategy in order to minimize the perception that it was not the government itself that took the initiative to invite them to La Havana.¹⁰⁹

Another strategy from the ethnic groups was to clandestinely travel to La Havana in order to meet with the different delegations, in spite of a government prohibition to do so.¹¹⁰ Under the pretext that they were going to participate in an academic program in Cuba, they were able to get visas and take advantage of these visits to establish a line of communication with the FARC-EP. The guerrillas saw an opportunity to include the ethnic organizations since they would be key in the implementation of the agreements in the territories. From the

¹⁰⁷ The defender of Human Rights from WOLA Gimena Sánchez-Garzoli has been working with the Afro population in Colombia since 2005 in order to represent their rights before the US Congress regarding the negotiations of the Colombia-USA Free Trade Agreement and Plan Colombia (interview, Gimena Sánchez-Garzoli, WOLA; Washington, D.C., 22 June 2017).

¹⁰⁸ Different interviews cit. with Humberto de la Calle, Sergio Jaramillo, representatives of the Ministry of Interior, among others.

¹⁰⁹ Personal impression from the interviews I conducted with members of the government.

¹¹⁰ The government said publicly that those who met with the FARC in La Havana would be judicialized because they were talking with a terrorist group. Personal communication with leaders of the Ethnic Commission, 2018.

FARC-EP, Jesús Santrich, Pastor Alape and Victoria Sandino were the persons more involved in the advocacy for the participation of the ethnic groups as well as in the process of construction of the ethnic chapter.¹¹¹

The ethnic groups had also sought to meet bilaterally with the government's Chief Negotiator and the High Commissioner to convince them that they needed to be invited to the peace process. CONPA managed to meet with De la Calle in November 2015. The Chief Negotiator acknowledged that it was in this meeting that he started to understand the importance of including the ethnic peoples in the process. He committed to organizing an audience with the ethnic groups but this did not take place until the Ethnic Commission was formed:

The first way that I was convinced, and I speak in first person, of the need to really have an ethnic chapter, was the product of a meeting with representatives of different groups that made me see, for example, that when we talk about development plans with a territorial-based approach, certain territorial figures could be superimposed on territories that today have a different regime and this overlap could generate conflicts later. And that's why we change our opinion.¹¹²

The High Commissioner for Peace - Sergio Jaramillo - was more difficult to convince, but his "right hand" and member of his team, Elena Ambrosí, convinced him of the necessity to invite them.¹¹³ For Jaramillo, the participation of the ethnic communities and the local people in general would take place during the implementation through participatory peace programs. This approach implied that the peace-making process was autonomous from the implementation phase, neglecting the clear links between both:

The idea was always that the implementation of the agreement had to be done with the participation of the communities, so that municipal development plans were built with them. For that reason, we were not too concerned about the issue of the ethnic peoples because we were certain that the PDETs were going to be built with them. What happened? That the indigenous and afro peoples understood that this was not enough, and there was a concern that things that had been negotiated in Havana would affect the rights of the [Constitution of] 91.¹¹⁴

The idea that the rights of the Ethnic communities were not being object of discussion at the peace talks disturbed the Ethnic Commission who felt that the Commissioner did not understand the reality of these peoples, and that he did not see how the rural reform and the victims' policies, among others, had differential impacts on their ethnic rights.

¹¹¹ Interviews with leaders of the Ethnic Commission and two lawyers of the FARC.

¹¹² Interview, De la Calle (cit.).

¹¹³ Interview, Andrés García, consultant of the Office of the High Commissioner for Peace; Bogotá, 12 April 2018.

¹¹⁴ Interview, Sergio Jaramillo, (cit.).

The turning point that made the government changed his mind was the indigenous Minga that took place in May 2016 and that blocked the Pan-American highway before the Agreement was signed. This mobilization was crucial because the indigenous leaders managed to include the invitation of the ethnic organizations to La Havana in their negotiated agreement with the government (see the Chronology of the events in Annex II).¹¹⁵

3.2.3. Ethnic Audience in La Havana: late, bumpy and hurried

Conducting a formal meeting between the government, the FARC, and the ethnic communities in La Havana was the reason for forming CONPA and then the Ethnic Commission. When the government announced and sent a letter with an invitation for a dialogue with ethnic groups (Comunicado conjunto # 73, 2016), the Ethnic Commission was surprised and disappointed because the government and the FARC-EP reserved seats for ethnic organizations close to them instead of inviting the Ethnic Commission given all their efforts to open that space. The government extended the invitation to all the indigenous groups of the Indigenous Concertation Table, with whom it is used to negotiate. On their side, the FARC-EP promoted the participation of more recently-created ethnic organizations within Patriotic March¹¹⁶ in order to gain influence in the implementation phase.

These latter ethnic groups were born as an expression of rejection of the traditional ethnic authorities. Some indigenous and Afro, disenchanted with the attitudes of the major national organizations, left them and found in Patriotic March (*Marcha Patriótica*) a good space to fight against social injustice along with peasants, both in an ethnic and a class logic. At the core of *Marcha*, two ethnic expressions were formed: The National Indigenous Peoples Coordinating Board (*Coordinadora Nacional de Pueblos Étnicos*, CONPI), and the National Afro-Colombian Coordinating Board (*Coordinadora Nacional Afrocolombiana* CONAFRO) (Salgado Cassiani, 2017). After their visit to La Havana, CONPI and CONAFRO decided to group both organizations, as well as others ideologically close to them, under the umbrella of a National Ethnic Peace Coordinating Board (*Coordinadora Étnica Nacional de Paz*, CENPAZ) (see table 3). The representative of CENPAZ, Luz Mery Panche, describes the process as follows:

From 2002, a process of liberation of the mother Earth begins, and the grandchildren of Quintín Lame initiated the recovery of lands because the CRIC

¹¹⁵ Interview, Giovanni Yule, CRIC representative; Bogotá, 7 March 2018.

¹¹⁶ Launched in 2012 as a Social Political Movement, this party-movement seeks a peace that implies the transformation of the country, overcoming the structural violence, and the true independence from the imperial powers, including the extractive multinationals. It gathers more than 2,000 organizations and most of its social base is made of peasants.

had signed with the government a pact not to recover more land. And internal conflicts were generated; even some Quintin Lame leaders were captured by the police and judged by the CRIC as land occupiers. That increased the internal differences much more and that dissatisfaction grew.¹¹⁷

Achieving collaboration between CENPAZ and the Ethnic Commission was not an easy task, especially since the latter distrusted the newcomers based on their leaderships' rivalries and CENPAZ's proximity to the ideology of the FARC-EP. In a way, the intercultural translation that allowed for the Ethnic Commission to be launched, was not possible to establish an ongoing dialogue with CENPAZ.

Table 3. Members of CENPAZ, *Coordinadora Étnica Nacional de Paz*

Organization	Representative
CONPI, Coordinadora Nacional de Pueblos Indígenas	Luz Mery Panche
CONAFRO, Coordinadora Nacional Afrocolombiano	Aquileo Mosquera
FEDEMICHOCO, Federación de Mineros del Chocó	Ariel Quinto
ASOMICHOCO, Asociación de Pequeños y Medianos Mineros del Chocó	Not identified
CONPAZ, Comunidades Construyendo Paz en el Territorio	Rodrigo Castillo

The Ethnic Commission saw the government's invite as a strategy to relegate their presence and thereby neglect their efforts to have an ethnic audience. As a result, they sent a letter to the Minister of the Interior (Juan Fernando Cristo) in order to set up a meeting up to assure their participation in the audience. Through this pressure, they managed to be invited to La Havana along with CONPI and CONAFRO, and the other indigenous organizations of the Indigenous Table.

The audience took place on June 26-27, 2016. The negotiation meeting brought about a series of agreements between the government and the ethnic communities,¹¹⁸ but more importantly, the government acknowledged that the Peace Agreement lacked an ethnic perspective and reiterated that no ethnic rights would be affected. The ethnic groups were charged with the design of an ethnic proposal for the Agreement. This was sent to the government in early July; yet, at the end of August, information was leaked to the Ethnic

¹¹⁷ Interview, Luz Mery Panche, CENPAZ & IEANPE; Bogotá, 21 December 2017.

¹¹⁸ These included: the creation of a Technical Commission to define the inputs that would be included in an Ethnic section of the Agreement; the realization of the 'peace pedagogy' by the ethnic authorities in their territories before the referendum of the Agreement and during the implementation; the design of a special protocol for prior consultation of the required aspects of the agreement; and the celebration of a workshop between the Sub-Commission of Gender and the Ethnic Commission to ensure the inclusion of an intersectional perspective (Ethnic Commission & Government Delegation, 2016).

Commission “that the parties were planning to announce the final accord in Havana the next day” (Sánchez-Garzoli, 2017, p. 7). This was even though the ethnic chapter had not yet been finalized. Thanks to the new support of the international community and specially of the US envoy for peace, the Ethnic Commission again exercised public pressure in order to not be left out of the negotiation meeting and they flew to Cuba the following day, August 24. In addition, the FARC protested that they would not sign unless the Ethnic Chapter was included in the agreement as had been previously agreed upon. Although the government did not recognize that they planned to exclude them,¹¹⁹ the peace delegation still had to be pushed to receive a new delegation of ethnic representatives in La Havana and write the Ethnic Chapter.

According to the people present at the meeting, the ethnic groups were told that they had barely two hours to agree on a text and it should be no longer than one page. The time and length restrictions profoundly annoyed the Ethnic Commission, which had written a long proposal for the Ethnic Chapter (between 20 to 40 pages, depending on the sources consulted). After an hour and a half discussing the length of the text, they managed to have the limits expanded a bit, and in the next hour the government and ethnic representatives wrote the final text (three and a half pages).¹²⁰ From the government, André Viane and Elena Ambrosi, both from the Office of the High Commissioner and currently both at the Attorney’s office working for the implementation of the Agreement, took the lead to draft the chapter. From the FARC, Santrich oversaw the process but did not interfere and asked CONPI and CONAFRO not to do so, in order to facilitate the dynamic. From the Ethnic Commission, the hands at work were also those of women from ONIC, Patricia Tobón and Alejandra Llano, and Charo Mina, from PCN. The product was a short text with principles and guarantees to protect the ethnic rights in the Agreement and in the implementation. They were invited to appear in the picture of the signing of the Agreement the very same day they were negotiating the Ethnic Chapter, and they had to go “with the same clothes”, as indicated Richard Moreno.¹²¹

On October 2, when the Peace Agreement was later rejected at the polls in a referendum that was marked by a misinformation campaign, indigenous and afros mobilized in the streets and internationally in order to demand the implementation of the Agreements. As Sánchez-

¹¹⁹ Interview, Humberto de la Calle (cit.).

¹²⁰ See appendix III.

¹²¹ Interview, Richard Moreno (cit.).

Garzoli recapitulates (2016), those in charge of the renegotiation of the Agreement, with Álvaro Uribe leading the process, were very critical and racist about the Ethnic Commission and the Ethnic Chapter.

In the post-referendum debates, former President Álvaro Uribe Vélez, of the No campaign, flatly stated on national television that “Colombia is not an African tribe but a country of institutions” when asked for his opinion regarding the Ethnic Chapter. (Sánchez-Garzoli, 2016, p. 8).

In response, the ethnic commission thought they had to take extra precautions, as Sánchez-Garzoli recalls:

In response, the Ethnic Commission doubled its efforts to guarantee that the Ethnic Chapter did not get watered down by the parties who were trying to appease the opponents of peace and calm the turmoil they generated.

Uribe’s public opposition of the Ethnic Chapter is only the top of the iceberg of a structural system that still excludes and undermines ethnic groups’ capacities and abilities. In the end, the renegotiation of the Agreement left the Ethnic Chapter unaltered, since it was not a main issue of preoccupation for the ‘No’ negotiators, in comparison, for instance, with other issues such as the transitional justice system.

3.3. Stripping back the Ethnic Chapter

With the approval of the Peace Agreement, the indigenous and afro-descendant peoples of Colombia were recognized as collective victims of the conflict and as allies for peace. The Ethnic Chapter represented a kind of historical collective reparation to the harm inflicted by the conflict and the matrix of coloniality in place, as they were able to ensure certain guarantees and safeguards for the exercise of their ethnic-territorial rights along with their differentiated participation in the various points of the Agreement. In addition, the Ethnic Chapter acknowledges that ethnic peoples have been affected by the armed conflict and its hardships, but also from colonialism, slavery and exclusion:

That the National Government and the FARC-EP recognized that the ethnic peoples have contributed to the building of a sustainable and lasting peace, to progress, to the economic and social development of the country, and that they have suffered historical conditions of injustice, resulting from colonialism, slavery and exclusion and from having been dispossessed of their land, territories and resources; that they have also been seriously affected by the internal armed conflict and the maximum guarantees need to be fomented for the full exercise of their human and collective rights in the framework of their own aspirations, interests and world views. (Final Agreement, 2016, p. 217).

But what were the ethnic groups proposing and what was left in the Ethnic Chapter? The ethnic communities analyzed all the pre-agreements and each of the points of the peace

agenda so that they could assess how it could affect them. Then they proposed how to ensure an ethnic and rights-based approach. One of the first problems they came across was that the integral rural reform could affect their collective territories, given that, for instance, the Land Fund was meant to be filled up with uncultivated or ‘empty’ lands, a term that may have different interpretations for both the government and the communities. What the government labels as ‘empty (uncultivated) lands’, the communities consider them to be protected lands. Also, many black communities still do not have a collective title over their lands, and they feared that their titling process could be affected:

In addition, there are interests to not recognize us. One of the interests is to find "empty" lands in some areas; the indigenous are very clear about their *resguardos* but the blacks, apart from the Law 70, we do not have all our territories recognized. The government still classifies some of these lands as uncultivated.¹²²

Likewise, the Development Programs with a Territorial-Based Focus (*Programas de Desarrollo con Enfoque Territorial*, PDET) that were created by the Agreement were seen as a lost opportunity since they never mentioned the Life Plans and Safeguard Plans of the indigenous communities, nor the ethno-development plans of the black community councils. Their major fear was that the new development planning strategies would omit their own ethnic plans and not respect their authority in order to coordinate any peace plan (Cortes-Ruiz, 2016).

With respect to political participation,¹²³ it was surprising that the ethnic mechanisms of participation such as community councils and cabildos were not mentioned in the Agreement. Of even more concern was the fact that the Agreement did not refer to the right to prior, free and informed consultation with the ethnic communities. Thus, they feared that this right might be undermined in the implementation (Cortes-Ruiz, 2016.).

On the point of substitution of illicit crops, both indigenous and afros considered this quandary to be a dynamic of the armed conflict that had undermined their own governance and ways of living in their communities. They wanted to be involved in this program to ensure that the final goal was not only the eradication of coca, but also the recovery of the ethnic-territorial relations, meaning to repair the damages to their special connection to the territory (Cortes-Ruiz, 2016).

¹²² Interview, Charo Mina (cit.).

¹²³ See Ríos & Cairo (2018) for an analysis of the different discourses on political participation regarding the Peace Agreement, including an exercise of territorial decentralization, new forms of citizen participation, and the transformation of the FARC in a political party.

For the discussion on transitional justice, the Agreement included a differential approach, yet it omitted some important aspects, such as the fact that the collective reparations had to include territorial, cultural, and environmental dimensions (Cortes-Ruiz, 2016). In addition, the ethnic groups asked for reparations that considered the effects of historical exclusion and racism (coloniality of being), as well as the effects of the conflict on the environment (coloniality of nature).

As mentioned before, the Ethnic Chapter did not include the level of detail the communities had worked on, but it still provided a series of , guarantees and safeguards that are transversal to the Agreement. Among them, it is noteworthy the principle of non-regression, which ensures that nothing in the Agreement will affect the ethnic-territorial rights previously acquired; the non-subsidiary nature of the free and informed prior consultation; and the principle of cultural objection as a guarantee of non-repetition.

More specifically, with respect to the Integral Rural Reform, the ethnic peoples secured access to the Land Fund (created by the Agreement) without having to pay any amount for it, as well as the prioritization of their lands in the process of formalization of properties. Likewise, the Ethnic Chapter established that the Rural Reform would respect the indigenous and afro collective territories, as well as their life and ethno-development plans. In addition, the Ethnic Chapter reinforced the point that there would be a special prior consultation with the Afro and indigenous communities that inhabit the territories that are selected for the implementation of the PDET, as will be discussed in Chapter 4; thus, an ethnic, cultural, and territorial focus would have to be ensured.

In the section on political participation, the Chapter ensured that the ethnic communities would be able to present their candidates for the Special Electoral Peace Seats, which would be assigned to the victims from the regions most affected by the conflict – however, these districts have not been yet approved in Parliament.¹²⁴ Likewise, the Agreement stated that mine clearance would be developed in consultation with the ethnic peoples and their organizations. Also, on the issue of security, the ethnic peoples managed to ensure that the

¹²⁴ When Congress voted in December of 2017 a project to reform the Constitution and create the new 16 seats for victims, the Senate determined that there was not a majority of votes to pass it, since 50 senators out of 99 voted in favor instead of 51. As Guillermo Rivera (2019), former minister of Interior, explains in a recent article, there is still a possibility that the reform gets approved in Congress, despite the differences between Congress and the government about it, given that the jurisprudence of the Constitutional Court has reiterated that the majority does not imply the half plus one, but just a majority of votes. Further details in Novoa (2020).

protection and security schemes would follow a differential approach and that their own security systems would be strengthened.

Regarding the Integral System of Truth, Justice, Reparation and Non-Repetition, the design and execution of the System would consider the exercise of the jurisdictional functions of the Traditional Authorities within their territorial scope as in accordance with Article 246 of the Constitution and current international standards. In addition, they expressed the need to introduce intersectional approaches to victims in terms of gender, ethnic group, and kind of victimization (especially displaced people).

Regarding the point of illicit crops, the Ethnic Chapter states that the National Integral Substitution Programs (PNIS, *Programa Nacional Integral de Sustitución de Cultivos Ilícitos*) would be carried out in coordination with the communities and would respect the cultural uses and consumption of traditional plants that are classified as illicit. Finally, as per the implementation and verification of the Agreement, point 6.2. of the Agreement specifies that ethnic peoples will actively participate through a Special High-Level Panel with Ethnic Peoples (*Instancia Especial de Alto Nivel con los Pueblos Étnicos*, IEANPE) (Comunicado conjunto # 13, 2017).

The content of the Ethnic Chapter safeguards the rights the groups have achieved in previous ethnic and decolonial struggles for recognition. According to the Ethnic leaders, although the content was reduced from that of their original proposal, in the end the core of their demands was kept and condensed into a series of principles, safeguards and guarantees.¹²⁵ For the ethnic communities, the Agreement is a symbolic win for the ethnic peoples, one that was achieved in a very particular context. The implementation is a different matter as will be seen in the next chapter.

3.4. The Ethnic Chapter: a decolonial contribution to peace

The inclusion of the Ethnic Chapter in the Final Peace Agreement represents another historic and symbolic victory for ethnic peoples of Colombia. It also reflects the persistent difficulties to living up to a pluri-ethnic and multicultural reality, as is stated in the Constitution. Their struggle for peace with an ethnic voice has managed to momentarily bridge the divide that had been established by the colonality of power, being, and knowledge. In an attempt to conquer this divide, the indigenous and Afro-descendant

¹²⁵ The different ethnic leaders from the Ethnic Commission shared this feeling with me in our conversations.

peoples advocated for a seat at the negotiating table. Furthermore, the ethnic groups advocated to (national and international) society in general to, first, fix the structural and systemic aspects that have made these populations more vulnerable to the conflict and highlight the connections between conflict and racism (de-coloniality of power); second, to acknowledge the ethnic peace practices and epistemes ‘others’ as being just as valuable as the mainstream ones (de-coloniality of knowledge); and third, to remark their experiences that have been neglected most of the time or silenced by the dehumanizing logics of the conflict and of the system (media, government, economic activities, etc.) (de-coloniality of being). They made clear the differential effects of the conflict on their communities as well as their differential agency in peacebuilding. Many ethnic peoples not only resisted the conflict in their territories, but also developed everyday peacebuilding practices to (re)exist¹²⁶ as ethnic peoples (Hernández Delgado, 2006; Lizarazo, 2018; Masullo, 2015; McGee, 2017; Monje Carvajal, 2015).

Their struggle to open space for peace(s) ‘others’, meaning not dualistic oppositions, but a plurality of peace(s) or trans-peace(s), is linked to their ever-evolving identities, their collective long- and short-term memories, their emotions, and their territories – that is, the spaces where they give meaning to their existence. Their visions of peace(s) question a universal concept of peace and open the door to a co-existence of different understandings and practices of peace. Their approaches to peace(s) break the artificial division between emotions and reason, and conflates them in their way of being, existing, thinking and doing. Likewise, the ethnic visions of peace go hand in hand with other signifiers that are part of their collective being - namely their autonomy, self-governance, social justice, environmental preservation, own justice system, and alternative development (Rodríguez Iglesias, 2018a, b).

These approaches to peace clash with the hegemonic views of the government elites that promote a model of peace, based on different epistemic, ontological and methodological roots, that prioritize economic and security rationales (Rodríguez Iglesias, 2020). The accommodation of the different hegemonic and counter-hegemonic discourses of peace through the opening up of the process that led to the Ethnic Chapter was contextual, temporary, and responded to a series of circumstances that were not necessarily related to the understanding and exercise of a pluri-ethnic nation-state. In fact, the Peace Agreement represented a window of opportunity for ethnic groups to mobilize their knowledges and

¹²⁶ The prefix re- in this expression alludes to the emergence of the beings that have been denied, silenced.

practices of peace, but only because the ethnic communities themselves organized national and international campaigns to advocate for a space in the negotiations. The government itself refused to have the ethnic peoples at the table and to acknowledge their status as valid interlocutors (and much less as equal pairs). Rather, the actions of the ethnic groups managed to mobilize an international campaign that put pressure on the government from different angles of the international community, mainly from the US Congress, the US Special Envoy to the peace negotiations, and even the US presidency, as well as the guarantor countries, especially Cuba and Norway. The combination of national and international pressure was key to understand why the government finally opened the Table; in addition, the commitment of the FARC with the ethnic groups in the last period of the peace talks was also fundamental, since they refused to sign the Agreement until the Ethnic Chapter was included.

Through their presence at the negotiation meeting in La Havana, the ethnic peoples' proposal of peace was able to question the lack of attention being given to the ethnic-territorial organizations of the country and, as a result, it reframed the discussion about peace in different terms. From a discourse analysis of the indigenous and Afro-descendants' narratives and practices, four main understandings of peace(s) can be highlighted: ethnic peace(s) as recognition in a relational dynamic; ethnic peace(s) as the portrayal of their own experience of the conflict; ethnic peace(s) as the creation of space for alternative development; and ethnic peace(s) as the practice of community engagement and organization.

3.4.1. Ethnic Peace(s) as recognition

In the peace process with the FARC, ethnic peoples resorted to highlighting their cultural and historical difference and mobilizing their collective short- and long-term memories of the struggle in order to claim their own space at the negotiating table. The goal was to express and self-represent their needs and rights to a government and a guerilla group that still do not respect the ethnic groups' autonomy and self-government. As opposed to get their distinctiveness based on gender, age, sex, etc., they sought to be recognized as peoples of Colombia. Their goal was to talk to the government and the Secretariat of the FARC as ethnic authorities: "They put us in the differential approach, with children, adolescents, older adults, women, LGBTI, but we are peoples crossed by all these approaches."¹²⁷

¹²⁷ Interview, Luz Mery Panche, (cit.).

The ethnic groups stated the relational character of peace, the idea that peace is about the relationship towards the other. Their struggle for peace implied defending their ways of life which entail different economic models, justice system, culture, health practices, food production, and relation with their territory. In this regard, they requested the recognition of their ways of being, as well as their knowledges and practices. The ethnic groups had a special interest in erasing, from the mainstream discourses, their stigmatization as collaborators of the guerrillas, something which arose merely due to the fact that they lived in areas that were occupied by the armed groups.¹²⁸ It has therefore been an ontological struggle in line with their memory of resistance, ongoing since colonial times and slavery (Blaser, 2013; Escobar, 2004, 2014, 2015; Rosero, 2001).

In addition, this episode allowed for new ethnic organizations to gain recognition and to occupy spaces that have traditionally been held by other groups. The presence of CONPI and CONAFRO in La Havana was also a symptom of permanent identity reconstruction and of political diversity among ethnic organizations. These newest groups broke with the historical ethno-political leadership and brought in a new ethnic discourse that relates more to that of peasants regarding the need to expand the collective protection of inter-ethnic territories.

From our ancestral knowledge and wisdom, we are able to propose forms of governance, of *resguardos*, but we became very *indigenistas*¹²⁹ defending only the *resguardo*, and we dare to say that we have no borders, we are like wings, from the pluriverse. For us the territory is much wider than the *resguardo*. We have reflected that in the end what affects the blacks, affects us all, just like the ZRC.¹³⁰

However, the Ethnic Commission has a different perspective from CENPAZ. On the one hand, they do not align to peasant organizations as CENPAZ does; on the other hand, the Ethnic Commission feels that CENPAZ are FARC-aligned groups that want to take up ethnic spaces in the territories. Although the class struggle of the FARC connects to many claims of the ethnic struggle, the historical ethnic organizations understand that their fight has been different and there is not a recognition of the autonomy of the ethnic groups by the guerrilla group. Precisely, this was the point that made the traditional ethnic organizations claim that the guerrilla did not represent them at the table. In that sense, the Ethnic Chapter was also a way to differentiate the ethnic cause from that of the armed groups, and reinforce the links between the armed conflict and the structural racism that pervades the society since colonial

¹²⁸ Interview, Marino Córdoba (cit.).

¹²⁹ The term *indigenista* here refers to the fact that indigenous have tended to look inwards, just for the issues of their lands, and not the whole dynamics of the territory.

¹³⁰ Interview, Luz Mery Panche (cit.).

times. In this vein, the armed conflict affected in larger proportions these excluded populations. For ethnic people, exclusion is not only a class issue but it is an ethnic and class issue (and some of them also include gender).

The relational character of the ethnic approach to peace(s) is also part of their interconnection with the different living others, that is, not only human beings but also the rivers, the mountains, the animals, the plants, and the spaces in general that give meaning to their existence, their culture, and their communities. All these elements from nature co-constitute their identities, and as such, the ethnic groups advocate for their re-establishment, healing and reparation of nature as well as the communities.

Yet, we can also see that the recognition of the ethnic difference through the Ethnic Chapter crystallizes the ethnic identities, putting all afro, indigenous, and Rom under the same category. Although their identities are continuously being reshaped by social interaction, texts such as the Constitution and now the Ethnic Chapter result in the essentialization of their identities by the government when it comes to the implementation, because the politics of identities serves the purpose of governmentality, as mentioned in chapter 2.

3.4.2. Ethnic peace(s) as portrayal of the experience of the conflict

The experience of war for ethnic peoples is connected to their long history of exclusion and oppression that started with the colony. As second-class citizens or the 'others', they have been dehumanized and treated as disposable people (Agamben, 1995). The regions of the country with a higher population of ethnic peoples have suffered disproportionately the impacts of the conflict due to both the presence of rich natural resources in their territories, which became strategic corridors for illegal trades, and in addition to the forgotten condition of their lands and their communities. Taken to be empty lands, propriety of the state, their territories have long been desired for those interested in large investments and exploitation (Grajales, 2013).

The Ethnic Commission claimed that they deserved to be at the negotiations table not only because they have been the peoples disproportionately affected by the conflict between the government and the guerrillas, but also because of the social conflict between the communities and the neoliberal economic model that has colonized their territories and their ways of living:

We [men and women] as people have suffered the disproportionate impact of the internal armed conflict expressed, among others, in internal forced displacement, confinement, ethnic cleansing in many territories, in which our communities also lost social control - and in many cases the cultural and environmental property of

the territories, as occurred with the expansion of coca crops for illicit purposes, oil palm and sugar cane, the proliferation of legal and illegal mining, port and tourism expansion projects, or the dramatic situation of the *raizales*, cornered in a territory that the Colombian State does not know and invited [others] to colonize and therefore is unable to protect. We join the powerful voices that affirm that the territory and the set of rights that comes from it have been turned into victims (CONPA, 2014)

As seen in the previous chapter, the Pacific lowlands that are inhabited by indigenous and Afro descendants were considered a paradigm of peace (Restrepo & Rojas, 2004) until the decade of the 1990s, when they received the imposition of the logics of war and became geographies of terror through de-territorializing processes (Oslender, 2004). Their living spaces transformed into a battle scene between the guerrillas, the paramilitaries, and the armed forces. The arrival of mega projects in the region became possible due to the actions taken by the paramilitaries to control the territory. The goal was to empty the lands by terrorizing people who were forced to flee. These paramilitary strategies happened hand in hand with the process of collective land titling advanced by the ethnic communities in the 1990s (Agudelo, 2001; Arocha, 1998, 2004; Castillo, 2007; Domínguez Mejía, 2012; Gros, 2004; Maguemati *et al.*, 2012; Oslender, 2016; Salinas Abdala, 2014). Thus, the social and armed conflict represented an enormous obstacle for the ethnic peoples to realize their autonomy and self-governance over their territories. Forced displacement, confinement, recruitment, and exclusion once again enabled the internal colonization of indigenous and black communities. They called it an ethnocide or ethnic cleansing (Almario, 2004, p. 98).

Notwithstanding the armed conflict, the ethnic communities performed, created and innovated different mechanisms to resist and re-exist in their territories. For instance, the titling of more than five million hectares by the black community councils, characterized as a 'silent revolution' (Domínguez Mejía, 2012), allowed black organizations to secure large collective territories in the Pacific region in the middle of the conflict thanks to the approval of Law 70 for black communities, as discussed in Chapter 2. Although many inhabitants had to flee their lands, according to the Victims' Law of 2011, those titles enable them to reclaim their lands and to return with minimum guarantees of safety as long as conditions are appropriate, which has barely happened.¹³¹ Likewise, many ethnic organizations collectively constructed agendas for peace or declared themselves as being neutral before the conflict, in order to keep their territories as geographies of peace (Courtheyn, 2016, 2018a, 2018b;

¹³¹ Around 90% of applications for restitution of land are rejected (McKay, 2017, p. 10).

FISCH, 2015; Masullo, 2015; Montañez Gómez, 2016; Oslender, 2010; Ruta Pacífica de las Mujeres, 2015).

3.4.3. Ethnic Peace(s) as the space for alternative development

One of the fears during the peace process was that the pacification of the country would bring about new social conflicts related to the exploitation of their lands, that is, those that had previously been disputed by the armed actors. Many indigenous and Afro territorial-organizations have advanced a strong resistance to the neoliberal capitalist model that had put their lands at the disposal of the great capital that neglected the ethnic authorities and their community's will to preserve their lands (Asher, 2009). As Charo Mina refers to it, their connection to the territory changed because of the conflict: from a preservation dynamic, they moved to employing a protective approach, for instance, dedicating time and resources to self-organize and denounce the attacks and violations of their territories. Although not all ethnic groups have an interest in the preservation of the environment (Wade, 2004),¹³² some of the oldest movements have mobilized an anti-capitalist and ecologist discourse both during the conflict and for the peacebuilding phase.

As autonomous peoples, they defend their right to decide what kind of development and economic activities are implemented in their collective territories, thus exercising their right to prior, free, and informed consultation. For instance, PCN leaders have resisted and opposed large mining projects in their territories in the Pacific, as have done community councils of Chocó such as COCOMACIA or COCOMOPOCA, among others (Asher, 2009; Castillo, 2007; Grueso *et al.*, 1997; Vélez-Torres *et al.*, 2014). Yet, they expect that the end of the conflict will ease conditions for investors to open businesses in the peripheral areas of the country, and therefore, they have tried to safeguard their territorial rights through legal mechanisms, such as the interposition of *tutelas*, as well as non-violent civil resistance. In a sense, they resist both modernist discourses that present on the one hand, nature as a commodity to fuel economic growth, and on the other hand, a conservationist discourse that aims to secure the availability of natural resources for the capital system in the future (Escobar, 2004).

¹³² As Wade (2004) remarks, the myth of ecological wisdom of indigenous peoples reproduces the idea of these persons as isolated salvages that are part of nature and are instrumentalized as guardians of the environment, as part of a modernist discourse. Yet, most of these groups do not have an 'environmental conscience', rather they have a lower impact on the environment because of their lower number. Sometimes they oppose large projects not because of the environmental impact, but because they know they will not benefit from them.

However, the denial of the government to negotiate the economic model in La Havana has restricted the ethnic communities' margin of maneuver to pressure the government in that direction, as will be explored in the next chapter. Due to the limitations of the peace process, the ethnic groups acknowledged that their labor during the post-agreement times would be to reinforce their resistance against a globalization project that keeps the rural areas marginalized and dependent of foreign and large investments.

Possessing their own development or alternative development basically refers to their autonomy to decide how they want to heal, to learn, to produce food, and to relate to the nature that surrounds them. The ethno-development plans of Afro-descendants and the life and safeguard plans of the indigenous peoples gather together all these views about their life and community projects in order to persist as ethnic peoples (Monje Carvajal, 2015). Those plans are based on a relational approach to others, including the environment, animals, nature, and the places that give meaning to their collectivity. Thus, they have requested that development programs that will be implemented as part of the integral rural reform in some of their territories be conducted with a previous concertation and in light of their own ethnic-development plans designed by the communities.

3.4.4. Ethnic Peace(s) as an enabler for community-building?

The peace process facilitated a time and space for the ethnic peoples to share their knowledges and put together a common agenda for peace as an ethnic community. As in the negotiations for the new Constitution in 1991, when the indigenous advocated for black rights given that they did not have any representative in the National Constitutional Assembly, similarly this time both ethnic groups valued the dialogue of knowledges of subalterns in Colombia (Santos, 2012). Indigenous and Afro-Colombians share similar language and practices. They both have suffered the hardships of the conflict disproportionately and have seen their ethnic projects of life hampered by the conflict's violence and its disrespect towards their authority and autonomy. In addition, the armed conflict has also interfered with the good inter-ethnic relations of many territories, thereby breaking the social fabric. For instance, many inter-ethnic relations were suspended due to the lack of confidence generated by the stigmatization of certain groups being collaborators of one or another armed group. As a result, the war-related practices generated disaffections among the different groups in the territory.

Peace, for these communities, implies the recovery of those affections, a reconciliation with the other, the respect of the ethnic communities in general, and the erasure of abyssal lines.

Their peace campaign contributed to reinforcing their identities as an ethnic community, despite their differences. Although they entered the audience as members of different groups, in the end they, together, wrote a common text that covers common concerns.

Yet, during the implementation, the discourse of an ethnic community has not been as strong as it needs to be to confront the exclusion of the government. In the end, the government's strategy of dividing them up and privileging some groups that were closer to the bureaucracy of the state over others, plus the inclusion of CENPAZ, represented an opportunity to learn how to work together. As it will be seen in the next chapter, the difficulties to configure the IEANPE showed that, despite their common concerns regarding ethnic issues, the clashes between leaders remains a bottleneck for their articulation. Still it is too soon to give a clear analysis of their community-building process since this inter-ethnic space is the first of its own and two-years may not be time enough for them to consolidate.

3.5. Conclusions

The peace process in Colombia between the government and the FARC-EP represented a window of opportunity to open up the discussion about the meaning and practices of peace. Although the participation of other stakeholders in La Havana was very restricted, some indigenous and Afro-Colombians groups were able to conduct an international and national campaign to secure a space at the peace talks and to dialogue with both parties as autonomous peoples of Colombia, despite the imbalanced power relations at play.

The participation of the ethnic groups in La Havana represented a historic and symbolic step forward in their historical decolonial struggle for recognition. The Chapter represented the State's acknowledgement of the collective victimhood of the ethnic groups and their agency as peacebuilders. Ethnic groups, in addition, were able to place their narratives of peace in the public debate. From their experience within the conflict, peace means: to reestablish the ties within the community and with others; to bring back tranquility and harmony; to allow mobility in their territories; to offer an alternative development to the hegemonic model that is in accordance to their needs and their culture; to respect their autonomy and self-government; to reinforce their identities as allies of peace and resisters to conflict; and to build upon a continuous process of ontological resistance. In short, peace is seen as a process and expected to restore their beings and the spaces where they signify their existence. Thus, these ethnic peace practices represented a decolonial approach that struggles to overcome

the coloniality of power, knowledges and beings that pervades their existence and that was reinforced during the armed conflict.

4. The first two years of the implementation phase: Struggling to keep the window of opportunity open

Ethnic communities knew by experience that only securing their rights in written, they would be able to assert their rights during the implementation. This chapter precisely explores how the Ethnic Chapter has been unfolded during the two first years of implementation, basically until the first months of the government of Iván Duque from *Centro Democrático*, who took office in July 2018. The chapter is divided in two parts: the first explores how the Ethnic Chapter has been considered during the preparations of the implementation, in terms of the approval of peace-related legislation, the creation of a high-level panel with ethnic groups for overseeing and accompanying the process, and the inclusion of ethnic metrics in the implementation framework of the agreement. In the second part, the chapter focuses in the design of one of the points of the peace accord: the territorial approach and the PDET. As the use and control of territory was one of the core elements of the armed conflict, understanding how it is conceptualized in the peacebuilding phase and how interconnects with the ethnic focus is crucial for a sustainable peace.

The chapter argues that the same structural factors that ethnic communities faced to include the Ethnic Chapter were in effect the main impediments during the implementation. The multicultural approach of the government has not implied an inter-epistemic rapprochement; rather it seems more an inclusive process within a hegemonic model. In these circumstances, the ethnic collective action seen during the peace process once again revamped efforts during the first two years of implementation against the unwillingness of the government to have them participate in the post-Agreement phase. In particular, they strongly organized at the national and regional levels to ensure that the design of the PDET(E)s included an ethnic focus and was agreed with them. Although they managed to include ethnic mechanisms of prior consultation, the logic of the State to proceed and manage each different regional PDET prevailed and broke with the ethnic attempts to coordinate a national strategy for territorial development. Yet, the common horizon that both afro and indigenous established to sit in La Havana has gone through many ups and downs during the implementation as individual agendas and particular interests have flourished during the implementation, thus weakening the strength of the ethnic alliance.

4.1. Progress and setbacks during the implementation

This section refers to a few aspects of the preparations of the implementation process that are illustrative of the reluctance from the government to remove the legacies of the coloniality of power that traverses the nation-state. With no intention of providing a balance of the whole implementation of the Ethnic Chapter (see Comisión Étnica, 2018, 2019; Kroc Institute, 2019), the chapter focuses on the establishment of the IEANPE, as a consultant, representative and interlocutor of the Commission for Monitoring, Promoting and Verifying the Implementation of the Final Agreement (*Comisión de Seguimiento, Impulso y Verificación a la Implementación del Acuerdo Final*, CSIVI);¹³³ on the Framework Plan for Implementation (*Plan Marco de Implementación*, PMI), which operationalizes the Peace Agreement and establishes a series of goals and indicators to measure and follow-up its implementation in the following ten years; and the prior consultation on the legislative package Congress approved to implement the Agreement.

4.1.1. An innovative inter-ethnic space of dialogue with the government and the FARC

The IEANPE is the first of its type in a peace agreement worldwide. It was created on 13 March 2017, with a delay of several months due to, on the one side, the lack of willingness of the government and, on the other, the ethnic groups taking a while in order to reach an agreement about its composition. It is made of eight delegates of the ethnic organizations that went to La Havana, at least for the first two years of its mandate, but CENPAZ and the Ethnic Commission wanted to secure more positions than the other, and that caused delays to start functioning. Finally, the IEANPE arranged to have three members of CENPAZ, and five from the Ethnic Commission, out of which two are black representatives from CONPA, and three are indigenous representatives from ONIC, CRIC and *Gobierno Mayor*. It was meant to respect a gender balance, but only two women, an Afro and an indigenous, were selected as representatives (see Table 4). In addition, as the request of the FARC, the IEANPE represents all ethnic-territorial organizations, whether they went to La Havana or not. Thus, the CIT, AICO, and OPIAC are also part of it, in the now called ‘Expanded IEANPE.’¹³⁴ As Norey Kiwa from CIT recalls, it was not easy to expand the IEANPE: “We arrived to the first meeting of IEANPE thanks to the fact that Jesús Santrich had given us the location, and when we arrived, CONPA, ONIC and Gobierno Mayor understood that

¹³³ The CSIVI is formed of three representatives of the government and three of the FARC-EP.

¹³⁴ Interview, Jesús Santrich, (cit).

they could not continue to exclude us.”¹³⁵ Likewise, the High-Level Panel also represents the Rom people of Colombia. The groups that went to La Havana still feel more entitled than others to lead the process, even though the Ethnic Chapter covers all ethnic groups in the country.¹³⁶ During the implementation, the Ethnic Commission has taken the lead of actions to press for an implementation with ethnic focus.

Table 4. IEANPE representatives

Organization	Representative
CENPAZ-CONPI, <i>Coordinadora Nacional de Pueblos Indígenas</i>	Luz Mery Panche
CENPAZ-FEDEMICHOCO, <i>Federación de Mineros del Chocó</i>	Ariel Quinto
CENPAZ-CONPAZ, <i>Comunidades Construyendo Paz en el Territorio</i>	Rodrigo Castillo
Ethnic Commission-CONPA-PCN	María del Rosario Mina
Ethnic Commission-CONPA-AFRODES	Marino Córdoba
Ethnic Commission- ONIC	Luis Fernando Arias
Ethnic Commission- CRIC	Giovanny Yule
Ethnic Commission-Gobierno Mayor	Asdrúbal Plaza

Among its functions, the IEANPE is responsible for:

“acting as consultant, representative and interlocutor before the CSIVI on the interpretation, implementation and follow-up of the Final Agreement with ethnic perspective; following up on the Implementation Framework Plan, the Quadrennial Plans and the Multi-Year Investment Plans of the Agreements, integrated into the National and Territorial Plans; providing inputs and recommendations to the CSIVI for the incorporation of ethnic, gender, women, family and generation cross-cutting approaches in the Agreement; maintaining spaces and channels for communication and dialogue with the communities and with the official interlocution bodies with the National Government to gather concerns and recommendations on implementation and report on their work; contributing to the dissemination, visualization and socialization of the Final Agreement with an ethnic perspective in society and ethnic groups; maintaining constant dialogue with the CSIVI and other High Level Panels established by the Final Agreement; and defining its own internal regulations and have a Technical Secretariat.” (Comunicado #13, 2017).

This is the first pluri-ethnic space of dialogue with the government, and that has been a challenge because the different ethnic organizations have particular styles of interaction with the government. Plus, the Afros saw the High-Level Panel as an appropriate space for consultation, given that the specific mechanism for consultation with the black communities at the national level does not work correctly. However, the indigenous organizations did not want to give the High-Level Panel any consulting role since they have their own indigenous

¹³⁵ Interview, CIT representative before the IEANPE; Bogotá, 6 March 2018.

¹³⁶ In the multiple meetings I attended, the Ethnic Commission did not always invite the other ethnic groups that did not participate in La Habana.

institutions for concertation with the government that do work better. This difference of interests regarding the High-Level Panel is also related to the advantage and different treatment that indigenous organizations have received from the State, compared to the black communities. Both ethnic groups on their own have fought for their own spaces within the state institutions, and, for the first time, they have to accommodate their styles, timings, and interests. Thus, their different agendas have prevented them from having a more articulated position during the implementation.

In addition to the differences between afro and indigenous communities, the divide between the Ethnic Commission and CENPAZ resulted in the lack of an IEANPE's clear common agenda. This impeded that they could consistently put pressure on the institutions in charge of the peace implementation. Along with the internal hardships, the IEANPE has not played the role it was assigned to since there have not been clear protocols of interaction with the CSIVI,¹³⁷ nor a timely budget for the development of their activities. They have resorted to the international community in order to get resources to internally meet and to organize some lobby activities with the institutions in charge of the implementation, as well as for presenting a two-year balance of the implementation before the new government of President Iván Duque took power. In the presentation of the two-year balance, they acknowledged the need to strengthen their internal organization, as well as the need to be more present in the territories in order to be articulated with the local ethnic-territorial organizations. The divide between the national and the local level has also been a hurdle in order to align forces and strategies. Indeed, in the regions not many ethnic people actually know what the IEANPE is and does.¹³⁸

4.1.2. Securing ethnic metrics for the peace implementation

As happened with the Peace Agreement, the indigenous and blacks are going to enter the Framework Plan by pushing at the last moment, and not due to the political will of the government (Arias, quoted in VerdadAbierta, 2017).

One of the functions of the IEANPE was to ensure that the Implementation Framework Plan of the Peace Agreement included ethnic goals and indicators. This was not an easy task. When the FARC and the government had agreed on a draft of the PMI, the government was about to send it to Congress for approval before consulting with the ethnic organizations. The FARC, international and national allies, and key members of the government, as well

¹³⁷ As the CSIVI has lost its juridical ground on a State's Council decision, it is unclear what role the IEANPE can play.

¹³⁸ Perception from my fieldwork in Chocó where I had multiple informal conversations with local people.

as the ethnic-territorial organizations¹³⁹ put pressure to open the space for consultation (Ethnic Commission, 2017). This was a difficult exercise for the government, given the lack of understanding of ethnic rights, worldviews, times, ways of working, and of the importance to include them.¹⁴⁰ In a way, the ethnic peoples were seen as an obstacle for the implementation since their inclusion could delay processes. One of the advisers of the FARC in the CSIVI highlights the difficulties:

There were 18 meetings in which we asked for ethnic indicators and the government refused to include them; in the last meeting the government said that the ethnic part could be annexed *a posteriori* in another phase, when in reality the consultation must be with the ethnic groups from the beginning, so the FARC-CSIVI rejected the proposal.¹⁴¹

Thanks to the pressure of the international guarantors (especially the UN representatives and donors like the European Union), the government agreed to sit down with the IEANPE and negotiate the ethnic indicators. Of more than 130 ethnic indicators proposed, they managed to agree upon 98 of them. Initially the government rejected that the ethnic groups also incorporated long-term goals, but the indigenous stopped the negotiations, got up from the Table and started a *Minga* (May 2017). The Minister of Interior accepted to include those goals in the PMI and the negotiations resumed. The ethnic peoples also secured that there were ethnic indicators of the whole Agreement rather than just of the Ethnic Chapter, as the government wanted.¹⁴² However, they did not manage to disaggregate the budget for the ethnic indicators, which would become an obstacle to the measurement of how much money would be allocated to each of them.

For ethnic peoples, the process was a positive exercise, because they managed to work together, from their autonomous positions, and include the vast majority of indicators they had proposed.

It was a historical exercise of autonomy, authority, bringing together the three peoples, reaching agreements and consolidating those indicators. Having the Framework Plan is something important but now it is not easy to implement it for different reasons: the first thing is that it should be implemented in an integral manner because each people or organization has different interests. And it is also

¹³⁹ Ethnic groups conducted an indigenous *Minga* in the department of Cauca in November 2017 to demand the government the inclusion of the ethnic indicators. Interview, Luz Mery Panche (cit.).

¹⁴⁰ Interview, Todd Howland, representative of the UN High Commissioner for Human Rights; Bogotá, 21 November 2017.

¹⁴¹ Interview, lawyer and adviser of the FARC in CSIVI; Bogotá, 13 February 2018.

¹⁴² 9 goals and 27 indicators were agreed on the point of Comprehensive Rural Reform; 4 goals and 25 indicators, on the point of political participation; 2 goals and 10 indicators, on the end of the conflict; 9 goals and 17 indicators on the point of solution to illicit drugs; 6 goals and 11 indicators on the point 5 of victims; 6 goals and 8 indicators on the point of implementation (Akubadaura, 2018).

complex because the situation in the territories is very serious, violence has increased in several territories (Charo Mina, 2018).¹⁴³

Yet, the process of articulation of indigenous and black organizations was full of divergences; the black communities wanted to take advantage of the space to include many indicators of issues that have not been subject to prior consultation, such as a sub-account of the Land Fund for afros. At their end, the indigenous representatives have a larger experience dealing and negotiating with the government, and took the lead of the negotiations. As an ethnic adviser of the Office of the High Commissioner for Peace put it: “From an academic point of view, in these spaces you see that the indigenous know how to operate, and you see the afro world replicating an indigenous form.”¹⁴⁴ This also reflects that the recognition of the indigenous dynamics by the government have differed from their attitude towards black peoples.

The methodology of the PMI was designed by the Office of the High Commissioner for Peace and the National Planning Department. Some members of the team thought that the peoples themselves should be the ones designing the ethnic indicators, instead of giving them a set to revise:

The methodology was that the High-Level Panel itself proposed the indicators. But the High-Level Panel took a long time to start and the government took a long time to understand and learn how to move forward. And also, most people do not understand what ethnic means (it is a rooted, structural exclusion). The idea was that these planning instruments would force institutions to introduce the ethnic indicators into their own plans little by little, as happened with the topics of displacement, etc. But that runs the risk of it becoming another classifier.¹⁴⁵

Yet, the institution in charge of leading the PMI negotiation was the Office of the High Presidential Advisor for Post-conflict. This had a smaller team than the Office of the High Commissioner for Peace, and because the former had not been part of the negotiations in La Havana, they resorted to the High Commissioner for Peace’s team for advice and guidance. Yet, the Post-Conflict Office did not have the same commitment towards (ethnic) peace as the OACP; the High Representative for Post-conflict was skeptical and reluctant to implement all the participatory processes designed by the peace agreement.¹⁴⁶

Despite all the challenges involved, the inclusion of the ethnic indicators in the PMI was a victory for the ethnic peoples, and it was a historic milestone of negotiation of indigenous,

¹⁴³ Interview, Charo Mina (cit.).

¹⁴⁴ Interview, Camila Rivera, Ethnic Adviser of the Office of the High Commissioner for Peace; Bogotá, 25 February 2018.

¹⁴⁵ Interview, Andrés García, (cit.).

¹⁴⁶ Confidential declarations on the context of a conversation with someone that closely knows the work of the Office.

black, and Rom organizations aligned to face the government. Their way of procedure reflected their long-term strategy of using the existent national institutions for their own benefit, creating spaces for their participation and inclusion. Yet, the lack of a clear budget to measure and oversee the compliance of these indicators in the future foretells the limitations of its reach.

4.1.3. The right to prior consultation stays on paper

Contrary to the PMI, the IEANPE was not successful in securing the consultation or concertation of the legislative package that was approved for implementing the Peace Agreement. The ethnic organizations and the government agreed upon a 10-day fast-track route for ethnic consultation, as they had previously discussed in the negotiations of the Ethnic Chapter:

This procedure is justified exclusively in the interest of the Indigenous Peoples so that the Agreement between the FARC - EP and the National Government is implemented and the accords established there are fulfilled, which in no case will be detrimental to the acquired rights of the Indigenous Peoples (Acta de Protocolización of the MCPI, quoted in Minga Indígena Nacional, 2017).

This means that the process of consultation was shortened up for pragmatic reasons; yet, in the protocol it was not determined which legislation was going to be presented for consultation. According to the Minister of Interior, Juan Fernando Cristo, only those norms that could affect the ethnic peoples were sent for consultation,¹⁴⁷ but the ethnic peoples affirm that the government had agreed to send at least 18 of more than 50 that were passed, and the result was that indigenous peoples were consulted only for six norms, and afro communities, for one.

The black organizations were very discomforted with the unbalance and blamed the government for designing an Afro Consulting Space made of 236 delegates that is inoperative and bureaucratic, and only works when the government has an interest and devotes money to make it work.¹⁴⁸ The black communities were only consulted on the norm that established the Peace Special Jurisdiction, and it was done through email, contrary to all formal procedures. Black communities wanted to include the recognition of their own structure of justice in the same terms of the Special Indigenous Jurisdiction,¹⁴⁹ but that was not possible because it was considered unconstitutional, so the decree just included the

¹⁴⁷ Interview, Juan Fernando Cristo, former Ministry of Interior; Bogotá, 5 April 2018.

¹⁴⁸ Interview, social leader from PCN; Bogotá, 3 April 2018; and interview, member of the Afro Consulting Space, and coordinator of CONAFRO; Bogotá, 13 February 2018.

¹⁴⁹ This was part of the previous negotiations in La Havana for the ethnic chapter.

aspiration of black people to formalize their own system of ancestral justice.¹⁵⁰ In Ariel Palacio's (2018) words: "The Fast Track meant an apartheid for people of African descent."¹⁵¹

But you can also see the notion this country has of ethnicity; everyone saw that 'something indigenous' was missing but there is no awareness that in this country there are three peoples, not just indigenous people. For example, in the multipurpose cadaster a specific fund was guaranteed for indigenous people and peasants, but not for blacks, and that is because the government wants to take as empty lands those that are of black property. We are going to see a quite significant level of [land] dispossession.¹⁵²

Indigenous instead were consulted on six norms: decrees of land fund, JEP, payment for environmental services, special circumscriptions of peace, PDET, and multipurpose cadaster. Regarding the Decree 902 of the Land Fund, the indigenous included a sub-account of lands for them. Regarding the JEP, it was established that the new judicial system was articulated with the special indigenous jurisdiction. Furthermore, indigenous included in the prior consultations that the Agency for Territorial Renewal (*Agencia de Renovación del Territorio*, ART), in charge of implementing the PDETs, designed ethnic routes (*ruta étnica*, a specific roadmap for how to include the ethnic focus) in those municipalities with presence of ethnic people, including black communities (see more on this in the next section). Regarding the payment for environmental services, the decree recognizes the special rights to autonomy, self-government, and ancestral practices of indigenous peoples as environmental authorities and stipulates the consultation of the normativity related to the decree.

Another norm that was not consulted was the PNIS. Even the Constitutional Court ratified that ethnic consultation was not needed in this case by alleging that the program would not affect their ethnic identities nor their territories, and thus allowing the State's intervention in their territories for the implementation of the program.¹⁵³ Yet, the Agrarian Summit and the IEANPE asked for a special ethnic decree of PNIS, or at least a protocol of articulation,

¹⁵⁰ There is an ongoing academic debate about legal pluralism as well as legal hybridization that deals with the interactions between the coexistence of two models of justice, be it modern and traditional law, and the role each justice system plays despite the recognized pluralism. See more in Santos (2006) and Santos & García Villegas (2004).

¹⁵¹ Declarations made during the two-year balance of the implementation of the Ethnic Chapter; Bogota, 31 July- 1 August 2018.

¹⁵² Interview, Charo Mina (cit.).

¹⁵³ According to the Attorneys' Office, there are 11,837 hectares of crops for illicit use in 254 indigenous *resguardos* according to 2015 data, out of which 47% of these hectares are planted in seven indigenous reserves of Nariño. In afro territories for the same year there were 16 thousand hectares of crops for illicit use reported (Amanda, intervention at the two-year Ethnic Balance of the Peace implementation, Bogotá, 1 August 2018).

before the end of 2018, as it was stipulated in the PMI as well. In short, for ethnic people, prior consultation was a lost battle during the implementation.

The process also showed the different treatment the government gives to indigenous and black organizations. Basically, the different *alterization* that both peoples suffered since colonial times continues to be present nowadays, and while indigenous are seen as an ethnic group on their own, blacks remain to be treated as common citizens affected by race stratification.

4.1.4. Key allies and institutional spaces

Faithful to their strategy of taking institutional spaces and forging strategic alliances, the indigenous and black territorial organizations managed to mobilize key allies in the institutions and agencies related to the peace implementation. For instance, the JEP, the new special jurisdiction for peace, for the first time in Colombia's history counts with four indigenous and four black magistrates. Their presence at the JEP is aiming at ensuring a continuous dialogue and articulation with the ethno-territorial organizations. Likewise, the Truth Commission selected an indigenous and a black commissioners. They have also ensured that its work has an ethnic focus in the final report, the methodology, and the inclusion of the communities.

In addition, some ethnic delegates in La Havana were recognized for their work in the defense of ethnic rights and were placed in key institutions of the Attorney's General Office. For instance, Richard Moreno from the FISCH occupies a new delegate attorney's office on Ethnic Issues, in charge for veiling for the fulfilment of the ethnic precepts of the peace agreement, among other tasks. Other leaders from the ethnic movements, such as ONIC and PCN, are also part of his team. Also, in the Attorney's Office, were created two other delegate offices regarding Restitution of Lands and Support for the Victims of the Conflict and Demobilized combatants. These positions were occupied by two women of the High Commissioner's Office that were key in the approval of the Ethnic Chapter. Both Elena Ambrosi and André Viane interceded for the ethnic people and contributed to include the Ethnic Chapter in the last minute of the negotiations. Thus, they know well the letter of the Agreement and also have a personal commitment to make it work.

Similarly, other agencies and institutions such as the ART have hired indigenous and black representatives to help establish articulated relationships between the institutions and the ethnic-territorial movements, and facilitate the inter-epistemic dialogue. In the same vein,

many international organizations and guarantors have supported the implementation of the Ethnic Chapter and lobbied for them before the government. The list is long but I could mention the UN system, ILO, Accountability Research Center from American University, Kroc Institute, and several European embassies (Norway, Sweden, Switzerland, Germany, France), and the EU representative.

In general, the ethnic mobilization of the last decades has been gathering international and national support that has played an important role during the peace negotiations and the implementation phase. In addition, some members of the peace delegation were already aware of the importance of including the ethnic dimension, and that helped to put more productive pressure in achieving first the ethnic chapter and then the ethnic indicators. However, these key allies remain to be a few within a nation-state that is traversed by the coloniality of power, and keeps the privileges of white elites.

4.2. Territory, territorial approach, and territorial development

This section first introduces a characterization of Colombia's territory, the concept of territory from the ethnic point of view, and the interpretations of the territorial approach of the agreement seen by the government and by the FARC. This introduction serves to better situate the last point of the subsection that deals with the approval of the decree 893 that creates the PDETs and with how their design at the local and regional level considered the ethnic focus.

4.2.1. Colombia's territorial kaleidoscope

Colombia is characterized by a heterogenous plurality of territorialities that overlap (Oslender, 2018, p. 19), including indigenous reserves, black territories, farming land-reserve zones, economic development areas, and the recently created Areas of Interest for Rural, Economic and Social Development (*Zonas de Interés de Desarrollo Rural, Económico y Social, ZIDRES*). These different territories, in turn, are disconnected and sometimes overlap with each other, resulting in social minefields – potential conflict and violence that can be generated in the territorial encounters between communities and big companies, characterized by the unbalance of power and the absence of the state (Weitzner, 2017, p. 1199), mainly when communities have the right to exert prior consultation and consent (Machado *et al.* 2017, p. 1078). Mining titles, for instance, overlap with black, indigenous, and peasant territories; similarly, businessmen have expanded economic

development areas into the so-called *tierras baldías* (uncultivated lands), which are often under territorial claims of ethnic groups.

Figure 5. Location of collective territories and rural reserve zones (ZRC) in Colombia



Source: Herrera Arango & Helo Molina, 2017

As Criado de Diego (2017) summarizes, there are multiple problems associated with the territory:

[...] deforestation and environmental impact; loss of food sovereignty; underdevelopment; high rate of unsatisfied basic needs, weak and inefficient or strong institutions but co-opted by illegal powers; substitution of illicit crops and illegal economies; lack of integration with the rest of the territory and with national and international markets; absence of infrastructure; productive structures that do not fit or fit with difficult adjustment in contemporary economic dynamics and in value chains; displacement, loss of identity [...] (Criado de Diego 2017, p. 20).

In light of these challenges, the territorial design in the post-agreement requires adjustment by all sides and a “dialogue of knowledges” (Sousa Santos, 2012) to avoid ‘controlled mistakes’, as Viveiro de Castro denominates those situations when two interlocutors are not

understanding the same meaning of a concept, in this case ‘territory,’ and are not aware of the miscommunication (Ruiz Serna, 2017, p. 100). This kind of miscommunication takes place when working with emptied signifiers as ‘peace’ and floating signifiers as ‘territorial.’ In fact, the use of the concept territorial peace in the Peace Agreement, although presented as a novel concept, ethnic communities have been struggling and defending the territorial approach since colonial times.¹⁵⁴ Peace, for black and indigenous communities, is linked to the exercise of their autonomy in their territories, as well to the respect of their territorial rights.

Ethnic-territorial organizations consider autonomy as a relational process of interaction with other actors, spaces, and elements of nature that surround them, based on situated and partial negotiations with actors from the local, national and international levels (Ulloa, 2010, p. 73). Autonomy does not mean a challenge to national unity of the modern state (Osorio Calvo, 2017, p. 111), but refers to the capability of exercising their own justice, self-government, control over natural resources and the social, political, and cultural life of their communities (López Sandoval *et al.*, 2017, p. 53).

Territory is also part of their identity, and thus their territorial struggles represent ontological resistances (struggles against the coloniality of being) (Maldonado-Torres, 2007) against a centralized and hegemonic nation-State that has pragmatically recognized their ethnic difference but not understood the spiritual side of the ethnic worldviews. Territory is not seen as a simple material space where communities live, rather it is a product of space, power relations and society (López Sandoval *et al.*, 2017; Cairo *et al.*, 2018).

Territories in Colombia have evolved differently since pre-Columbian times, and configure “a palimpsest of pre-Hispanic, colonial, republican and neoliberal imprints” (Montañez Gómez, 2016, p. 13). In order to exercise ownership over land, blacks and indigenous have fought to collectively title their lands in order to protect them. Since the approval of the 1991 Constitution, blacks have titled 4,1% of the national territory; while indigenous own around 29,8% (Paschel, 2010, p. 735). However, their right to prior consultation and free, prior, and informed consent, following international (ILO Convention 169) and national legislation (Law 21 of 1991),¹⁵⁵ “are rarely provided with the minimal guarantees for their proper implementation, with results that are questionable or even negative for the communities”

¹⁵⁴ Also, peasants have their own understanding of territorial approach to peace. See Lederach (2019).

¹⁵⁵ See the compilation of indigenous and black legislation ‘Legislación colombiana para comunidades étnicas’ at <http://www.urosario.edu.co/jurisprudencia/catedra-viva-intercultural/ur/Legislacion-colombiana-para-comunidades-etnicas/>

(Machado *et al.*, 2017), as highlighted in chapter 2. In this regard, many governmental policies and external economic actors have arrived to their territories without their knowledge and approval. Therefore, the written consulting instruments are not facilitating the intercultural dialogues they were supposed to accommodate (Machado *et al.* 2017, p. 1076).

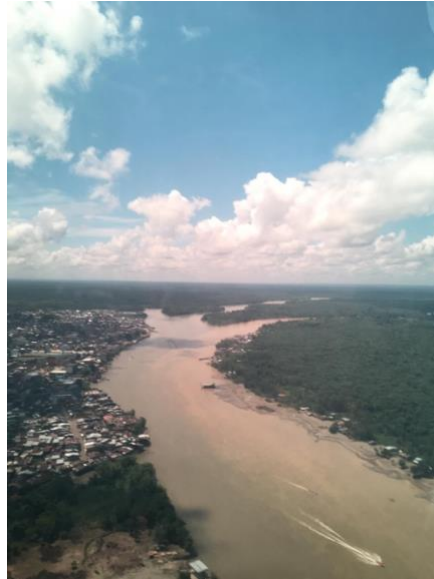
In addition, ethnic communities consider that peace should also address the damages caused by the armed conflict to their territories. In fact, the territory has been conceived as another victim by the ethnic victims' decrees approved by the Santos government in 2011 (decree 4633 for indigenous and decree 4635 for black people) in order to comply with the consultation of the 1448 Law on Victims and Restitution of Land (2011). Comparing both decrees, Ruiz Serna notes the different treatment of territory by each ethnic group: while indigenous refer to "restitution of territories" and "protection of territory", blacks' text simply states "assistance, comprehensive reparation and land restitution" (2017, p. 92), bringing about a profound difference:

Decree 4633 refers to "special and collective ties" with "mother earth" (article 3), to "harmonious coexistence in the territories" (article 29), to the "living entity" (article 45) or to the "sacred and ancestral character" of these territories (article 33). On the other hand, Decree 4635 only recognizes the fundamental right of black communities to the territory, "by virtue of the close cultural relationship they maintain with it" (Article 40), and only establishes the damage to the territory in environmental ("affectation of ecosystems", article 9) or property terms ("abandonment, confinement and dispossession", article 110) (Ruiz Serna, 2017, p. 92).

The indigenous approach emphasizes the living character of the territory in a clearer way, opening the door, as Ruiz argues, to consider rivers, mountains, or swamps as subjects of rights (ecocentric approach). In this line, although not in the realm of these decrees, black communities of Chocó interposed a protective measure for the Atrato River, and the Constitutional Court of Colombia, through sentence T-622 of 2016, declared the Atrato River of Chocó as subject of rights. The sentence also relates the protection of the river to the well-being or *vivir bien* of the communities, along with the environmental benefits. With this ecocentric approach, nature is not at the disposal of human beings, but rather human beings are part of Mother Earth, and the environment holds its own rights (Sentence T-622, 2016, pp. 41-43). In addition, the sentence respects the biocultural rights of the ethnic communities: "The preservation of biodiversity necessarily leads to the preservation and protection of the ways of life and cultures that interact with it" (Sentence T-622, 2016, p. 44). This perspective, however, clashes with development models that are based on the

extraction and exploitation of natural resources promoted by the government, as will be addressed in the next chapter.

Figure 6. The Atrato River from the air



Source: author's picture, 2018.

Given the specific ethnic understanding of territory, it is important to explore the interpretations given to the 'territorial' axis of the Peace Agreement. The FARC and the government did not consult with ethnic communities about the territorial approach during the negotiations, and in fact it was undefined in the Agreement how the ethnic and the territorial perspectives would be articulated in practice. Although the government and the agreement emphasize the involvement of the communities during the implementation, it was left unclear how that would happen. Plus, the local communities are not homogenous, and the existing social conflicts in the territories are another aspect to take into consideration since multiple worldviews are at play.

4.2.2. The territorial approach of the Peace Agreement in context

It is not a mystery that the peripheral regions have been historically forgotten by an excessively centralist state. That same State that has implemented a public policy model with a vertical execution structure with decisions taken at the top towards the periphery. Even today, in 2017, being born on the coast of the country, in remote villages, in ethnic territories, puts children at the end of a race in which, from the beginning, those in the cities have a considerable advantage (De la Calle, 2017, p. 12).

In La Havana there was a mutual agreement about the abandonment of the periphery of the country. Both the FARC and the government agreed that peace is not limited to the silencing of guns, but involves the transformation of the conditions that perpetuated violence and left

rural communities in a perpetuation of inequality, poverty, stateless, and without the provision of justice, security, and basic needs. Although the government and the FARC disagreed about the objective conditions of the conflict, in the Peace Agreement both acknowledged the need to transform the situation of the rurality and bridge the gap between urban and rural areas.

Valuing and extolling that the central axis of peace is to promote the presence and effective action of State in all the national territory, especially in multiple regions affected today by the abandonment, the lack of an effective public function, and the effects of the same internal armed conflict (Final Agreement, 2016, p. 3).

The government also supported the FARC's view that peacebuilding requires the involvement of the whole society, and mainly of those communities most affected by the conflict. Thus, the Agreement establishes as a priority that peace must be built with a territorial, gender and human rights focuses. The adjective 'territorial' has become little by little the main floating signifier accompanying peace in Colombia. Yet, the interpretation of 'territorial' remained fuzzy in the Agreement (Cairo *et al.*, 2018, p. 2), and many interpretations have been circulating in the public debate.¹⁵⁶ The Peace Agreement defines it as:

The territorial-based approach of the Agreement requires recognition and consideration of the economic, cultural and social needs, characteristics and peculiarities of Colombia's territories and communities, thereby guaranteeing socio-environmental sustainability; furthermore, it involves implementing the various measures comprehensively and in a coordinated way, with the active participation of all citizens. All of Colombia's regions and territories will contribute to the implementation of the Agreement, with the participation of territorial-based authorities and the various sectors of society. (Final Agreement, 2016, pp. 6-7).

In addition, different members of the peace delegation gave some hints during the negotiation about what the term 'territorial' implied. The High Commissioner for Peace Sergio Jaramillo referred to 'territorial peace' for the first time in a conference in the United States in 2014, and linked it to the development of "institutions in the territory that over time will assert the rights of all equally" (Jaramillo, 2014, p. 3). The proposal for the state-building process in the rural territories was conceived from the bottom-up, that is including the local communities rather than "bringing the state to the territory" by some "aliens" from the central state (Jaramillo, 2014).

In many public and confidential documents about the conception of territorial peace, the government's peace delegation emphasizes the strengthening of local institutions and the

¹⁵⁶ See Ríos & Cairo (2019) for an analysis of elite's discourse around the concept 'territorial peace,' looking not only to the interpretations of the FARC and the government but also the opposition and the army.

articulation between the local, regional, and national levels, thus proposing a desired decentralization.¹⁵⁷ As Cairo and Ríos (2019) analyze, the term combines the search for decentralization with a rights-based approach that would ensure social justice and local democracy. The government's understanding of territorial peace also implies the recovery of citizen trust in the State and reconciliation among citizenship and state actors. In a vague proposal, the government advocates for an active and overwhelming, in terms of numbers and diversity, citizen participation in order to ensure that the population embraces peace and gets involved in the implementation.

Territorial peace would also imply a guarantee of non-repetition of the violent conflict and a mechanism to ensure rights in the territories (Jaramillo, 2013, 2014; Bautista, n.d.a, n.d,b). Sergio Jaramillo, the High Commissioner, described territorial peace as 'a virtuous circle' by which the state-building process conducted from the territories would make citizens engage in the conversation and demand more from those institutions, thus contributing to 'institutionalize the territory' and channel problems through those institutions, instead of via the armed actors that used to control those spaces.¹⁵⁸ This way also the government seeks the legitimacy of the State and to expand its sovereignty to the whole territory by gaining the support of local communities.

Addressing the territorial needs and adopting a territorial approach of this kind takes roots in precedent programs that failed to bring the state to the periphery and/or fell short in their goals. As López's (2016) research shows, previous peace and state-building programs in Colombia had a territorial focus that aimed to 'take the State' to the regions by trying to close 'the gap of investment, attention and political presence' in the periphery (2016, p. 163). In her comparative analysis, López found that since the government of Lleras Camargo in 1958 until the government of Santos in 2010, "the number of municipalities and regions affected by the armed conflict where it is urgent to take the State has been growing along the years instead of getting reduced' (López, 2016, p. 158), given that the armed conflict has endured and extended into the peripheries (Ríos, 2016) and the peace territorial policies failed (see more on López, 2016).

The most recent attempt before the Peace Agreement was put in place during Uribe's administration. In his second term, the Ministry of Defense led by Juan Manuel Santos put into force the Comprehensive Territorial Consolidation Plan of La Macarena (2007-2010),

¹⁵⁷ See Estupiñán (2018) for a reflection on the challenges of decentralization and territorial peace.

¹⁵⁸ Interview, Sergio Jaramillo (cit.).

in a region where the FARC used to run their financial and military operations. Sergio Jaramillo, then member of Santos' team at the Ministry, conceptualized a program that was not only counterinsurgent and counter-narcotics, but that also aimed at building the state at the local level and regain the trust of citizens in the State at the expense of the FARC support. This plan would be the inspiration for the PDET's later on:

Sergio proposed the issue of the Consolidation Plan, which initially was counterinsurgency-oriented, implying that the military arrives and sweeps the territory [of armed groups]; and Sergio gives it a turn and creates the Comprehensive Territorial Consolidation Plan of La Macarena. Sergio wanted to put on the agenda that the territory is not to be cleaned up, but that the State has to be built in order to act as a peacebuilding support. That program worked from here [Bogotá] with a very centralist vision and Sergio's position was that the civil servants had to be in the territory to establish relationships of trust with the community, provide goods and services that have never arrived, and lower the issue of stigmatization.¹⁵⁹

However, as López describes, the good intentions of the program were not accomplished because its coercive nature prevailed through the military presence (López, 2016, p. 318). Overall, since the PNR, these state-building, peace, and also militarized programs to root the state institutions in the periphery have lacked the necessary funding, institutional articulation and capacity, continuity, and security conditions for their implementation, as well as a proper conceptualization in many cases. Comparing the prioritization of regions from the PNR to those of the current peace agreement, the reality is that most of the regions remained in the list of the most affected by the conflict and less institutionalized (López, 2016, p. 163), and the list grew from 55 to 170 municipalities nowadays. Thus, the territorial dimension has been at the core of the armed conflict in Colombia and remains a challenge during the peacebuilding times.

4.2.3. Territorial development at the core of the Comprehensive Rural Reform

What is development? And how to bring about development? These two questions have also been in the political and social debate in Colombia since the 1960s. In fact, the (neo)liberal models of the different governments of Colombia in the last fifty years have been considered as one of the objective conditions of the armed conflict by the guerrilla groups. The armed actors wanted to seize power in order to change the economic model and support peasant and local economy. On the other side, the government and the economic elites have promoted a neoliberal economic model based in Free Trade Agreements, privatizations,

¹⁵⁹ Interview, María del Pilar Barbosa, director of Participation of the ART, and former worker of the Office of the High Commissioner for Peace; Bogotá, 5 March 2018.

foreign investments, and extractivism, mostly since the 1991 Constitution with the government of César Gaviria (López Sandoval *et al.*, 2017; Weitzner, 2017; Offen, 2003; Tole Martínez, 2017). At their end, peasants, indigenous and black rural organizations have resisted the arrival of these policies to their territories, by exercising when possible their rights to collective land, prior consultation, and free, informed and prior consent.

For instance, the energy-mining model had also conflicted with the Victims and Restitution of Land Law, approved in 2011, to the point that the Constitutional Court had to declare unconstitutional the provision of certain laws (Law 1682 of 2013; Law 1753 of 2015; Decree 2444 of 2013) that considered impossible the restitution of lands when those were affected by mining titles, by alleging that mining represents a national interest that prevails over the rights of individuals (Vargas Valencia, 2017, p. 198). In addition, the Constitutional Court

in 2009 has pointed to mining, including industrial or "legal" mining, as part of the factors underlying or linked to the armed conflict and the risk of physical and cultural extermination of ethnic peoples in Colombia, as stated in the autos 004 and 005 that follow up the Sentence T-025 of 2004 in the midst of the humanitarian tragedy of forced displacement in Colombia (Vargas Valencia, 2017, p. 188).

In this line, there have been four sentences of land restitution to ethnic communities since 2011, in which it is verified that mining activities violated the collective rights of the communities by not consulting with them regarding the exploitation of their territories. In 2017, the Constitutional Court also reiterated that the Constitution of 1991 promotes a sustainable economic model, which results incompatible with the extractive focus.

The peace negotiation could have been an opportunity to rearticulate some aspects of the development and economic models. Although the point 1 of the Agreement included some rural policies and reforms, overall the government rejected to negotiate the economic model as seen in Chapter 2. In fact, Santos' National Development Plans (2010-2014, 2014-2018) promoted the mega mining-energy extractive industry as the development locomotive of the country, which literally clashes with the spirit and letter of the Comprehensive Rural Reform of the Peace Agreement.

Comprehensive rural development is a decisive factor in driving forward regional integration and equitable social and economic development of the country. The CRR must successfully achieve an in-depth transformation of the rural situation in Colombia: greater inclusion at a regional level, eradication of poverty, greater equality and guaranteed full enjoyment of citizens' rights and, as a result, guaranteed non-recurrence of the conflict and eradication of violence. A genuine structural transformation of the countryside requires the adoption of measures to promote appropriate use of the land in accordance with its suitable purposes and to stimulate the titling, restitution and equitable distribution thereof, by guaranteeing progressive access to rural property to those who live in the countryside, and, in particular, to rural women and to the most vulnerable

communities, and by legalising and democratising property and promoting broader ownership of land, so that it fulfils its social function. [...] Broadly, the CRR acknowledges the fundamental role of the rural, family-run and community-based economies in the development of the countryside, the eradication of hunger, the generation of employment and income, decent and formalised jobs, food production and, in general, in the development of the nation, all in conjunction with and complementary to other forms of agrarian production (Final Peace Agreement, 2016, pp. 10-11).

The Peace Agreement also recognizes that the prevalent development model has not benefitted many sectors of society and vaguely proposes “to construct a new territorial-based welfare and development paradigm to the benefit of broad sectors of the population that have hitherto been the victims of exclusion and despair” (Final Peace Agreement, 2016, p. 3). Yet, the proposed new paradigm of development is questionable because it keeps the extractive economic model in place, which has not brought about well-being for the local communities where extractive policies have been implemented, even deepening the conflict-related issues. Yet, Point 1 of the Agreement contemplates several measures to structurally transform the rural areas, including a land fund to provide access and use of land to peasants; the territorial-based development programs (PDET); sectorial national plans, to put in march the reforms needed in each sector (education, health, infrastructure, etc); and food security plans.

In particular, I am going to focus on the PDETs as a meeting point of the ethnic, territorial, and development dimensions of the Peace Agreement. The selection to focus on this program is also based on its potential impact if we have into account the following data: 6.6. millions of people live in the 170 municipalities of the PDET; there are 2.5 million victims in PDET territories; 24% of the country's rural population live in these territories; 57% of the rural population of the PDET is poor in monetary terms;¹⁶⁰ and the PDET zones correspond to 36% of the national territory (ART, 2018). The goal of the PDET is to accelerate the transformation of the rural sector, by ensuring the economic, political, social and cultural rights of the peoples so they can enjoy a decent well-being, according to their views of the territory. In order to do that, it aims to develop the peasant, family, and ethnic economies by providing basic services and goods; access to land; integration of rural with urban areas through public investments; and supporting and promoting local organizations. Four criteria were established during the peace negotiations to select those municipalities that are being prioritised for the intervention: levels of poverty; degree of affectation by the conflict; level

¹⁶⁰ Monetary poverty in Colombia refers to a monthly income lower than \$250.620 Colombian pesos (approximately 0,6 USD per day).

of weakness of the institutional capacity; and presence of illicit economies, mainly illicit crops.

As a result, 170 municipalities were initially chosen and grouped in 16 sub-regions,¹⁶¹ including 13,000 villages, 425 indigenous reservations, 3,015 community councils, and 6 farming land-reserve zones (Marina Escobar, 2017).¹⁶² In La Havana, both sides had already agreed on the 16 zones, but the selection of the municipalities took place *a posteriori* during the implementation, at the CSIVI level. According to Carolina Varela, of the Office of the High Commissioner for Peace, it was smart to leave this negotiation to the post-agreement phase; otherwise she thinks it would have been difficult to pass point 1 of the agenda of negotiation.¹⁶³ Leaving for the implementation phase some aspects of the negotiation helps to move forward during the peace process, but in turn it raises some issues such as that the armed group, once demobilized, loses its leverage to negotiate and most of the questions postponed, although still discussed with the armed actor in the CSIVI, are usually decided by the government in power, as in the case of Colombia.

The core of the PDET is citizen participation in the elaboration of the development plans as a way to bring reconciliation to the territories, build a sense of citizenship, create state, and mobilize the local people for peace. The High Commissioner for Peace Sergio Jaramillo was behind their conceptualization, based on his previous experience at the Ministry of Defence, with the abovementioned Programs of Territorial Consolidation. According to him, the three key aspects were: (1) to think the problems from the perspective of the territories; (2) to accelerate the transformation of those territories most affected by the conflict, due to the impossibility of implementing such a program all at once in the whole national territory; and (3) to build the projects through citizen participation with a territorial focus, from the very villages, in order to decentralize and build the state in the peripheries.¹⁶⁴ In this line, Mariana Escobar (2017), the first director of the Territory Renewal Agency (*Agencia de Renovación del Territorio*, ART) – the governmental agency created in 2017 for the PDETs’

¹⁶¹ Alto Patía, Norte del Cauca, Arauca, Bajo Cauca and Nordeste Antioqueño, Catatumbo, Pacífico Medio, Pacífico y Frontera Nariñense, Putumayo, Sierra Nevada – Perijá, Sur de Bolívar, Sur de Córdoba, Tolima, Urabá Antioqueño, Chocó, Cuenca del Caguán and Piedemonte Caquetense, Macarena-Guaviare, Montes de María.

¹⁶² Interview, Pablo Barriga, general advisor of the ART; Bogotá, 12 February 2018.

¹⁶³ Interview, Carolina Varela, responsible person for the negotiation of point 1 (rural reform) and 4 (illicit drugs) of the Peace Agreement from the Office of the High Commissioner for Peace, as well as of the institutional preparations for its implementation; Bogotá, 16 March 2018.

¹⁶⁴ Interview, Jaramillo (cit.).

implementation – contended that “the very redefinition of what ‘public’ and ‘collective’ mean[t]” was at stake.

The governments’ peace team had both an aspirational and pragmatic approach in mind; they saw the PDETs as an instrument to consolidate the State in the regions by building trust in its institutions:

It is about building or reconstructing the relationship between the state and the citizenship that necessarily involves recognizing the citizen of that territory as a citizen (that is, giving him/her a voice) while the ART in many cases thinks that this is a cumbersome process. The logic is that these projects are the excuse to build trust with a government that has never been present or has been present through repression, and it has imposed things and generated distrust and exclusion. The philosophical idea was to create a virtuous circle.¹⁶⁵

As in previous programs, this transformative horizon that was designed during the peace process faded away during the implementation; as several members of the High Commissioner for Peace’s team¹⁶⁶ agree upon, the essence of the Peace Agreement remained in La Havana, and back in Colombia the text opened the door to a plurality of interpretations of peace within the State and its agencies, many of which showed lack of willingness and interest in implementing some aspects of the Agreement, such as citizen participation, thus generating multiple challenges: “You assume that everyone has the same reading of the agreements as you that have been in Havana. In Cuba, we dreamt a lot, without considering the operational implications of implementing it and getting ideas landed.”¹⁶⁷ For many government officials, peace negotiations represented a small lab to rethink the state, but it was done in a *petit committee* without the involvement of the whole government and the state agencies and neglecting the fact that centralist and elitist-oriented institutions in Bogotá would have to define and implement the peace policies.

In practice, the ART, although created in 2015, even before the Peace Agreement was signed, had difficulties to launch the PDETs. This agency was the last to have a director (August 2016), and when she was appointed, the Agency did not count with enough economic resources to function, and initially had a team of only three consultants that were paid by the international community.¹⁶⁸ These delays affected the timing of the design of the development plans from the very beginning. In addition, the ART received many workers of

¹⁶⁵ Interview, Andrés García, (cit.).

¹⁶⁶ Interview, Andrés García, Carolina Varela and María del Pilar Barbosa (cit).

¹⁶⁷ Interview, María del Pilar Barbosa (cit.)

¹⁶⁸ Interview, Carolina Varela, (cit.).

the previous Consolidation Territorial Plan which caused distrust among the communities because these persons were identified as part of a counterinsurgency program.¹⁶⁹

For the FARC, this mechanism would allow citizenship to rethink the development of the country:

The PDET spirit is to fill the absence of society in the construction of general agreements. As the economic model was not under discussion with the FARC [in La Havana], then it has to be discussed with society, starting from the particularities: it is not the same to design a development program for the department of Cundinamarca than for Chocó. [...] Development has to be conceived as an opportunity for dignifying people.¹⁷⁰

The guerrilla group saw the PDET as a mechanism to consolidate their influence in the territories and requested to be hired by the ART. That option was not on the table because the government would not consider that the FARC as an organization was in charge of overseeing or executing the government's job; the government accepted that the demobilized *guerrilleros* were hired as ART consultants in their capacity of demobilized citizens, but not as members of the FARC political party. However, finally those demobilized FARC members were not hired; some of them were invited to participate in the assemblies as members of the communities where they have been reintegrating. Even their participation was very limited; only those former *farianos* that were working at the PNIS program assisted some of the assemblies, but not all of them. It was indeed a lost opportunity to start building trust between the demobilized actors and the communities.¹⁷¹

The 'territorial' approach to peacebuilding also opened up many expectations as well as doubts from local communities, and national and international observers. Peasants, black and indigenous peoples were cautious of governments' intentions given the previous failed experiences. The evident lack of trust of the communities in the State was explicit in various conversations I had with the leaders of the ethno-territorial organizations and the ART workers. The government's agency already knew that the starting point to reach the communities was not an easy one: "This is an over-diagnosed and over-planned country; the challenge is that the communities no longer have trust in these processes, so the way to validate this process is to say that it is part of the Agreement and not a government policy".¹⁷²

¹⁶⁹ Interview, Carolina Varela (cit.).

¹⁷⁰ Interview, Benkos Biohó, member of the Political Commission of the political party FARC in Choco; Quibdó, 24 February 2018.

¹⁷¹ I had the chance to meet with two former FARC combatants in Quibdó at one of the assemblies, but they did not participate in the whole process, because their participation depended on the financing of the PNIS program and it was limited (interviews demobilized FARC members; Quibdó, 14 September 2018).

¹⁷² Interview, Pablo Barriga (cit.).

The hopes that the Peace Agreement raised among some local communities were a valid entry card for many state officials in the territories, thanks to the capacity of the State to sit and dialogue with the armed group and get to an agreement, unlike in other occasions.

However, despite the acknowledgement of the need to open spaces for citizen participation, in general, as described in detail below, the overall impression was that the ART arrived to the territories with an already-set methodology that did not take into account the particularities of each territory, and it was not consulted *a priori*; that it rushed the process due to timing constraints that did not understand the communities' rhythm and pace; that the ART consultants had limited knowledge about the territorial dynamics; and that there was a clear lack of interinstitutional articulation. Thus, the novelty of the territorial approach soon showed its limits and reminded the centralist patterns of the institutions in Bogotá.

4.2.4. The ethnic 'routes' of the PDETs nationwide

The decree 893 of 28 of May of 2017 that gives life to the PDETs was consulted with the national Indigenous Concertation Table and indigenous representatives were able to establish the requisite of conducting ethnic routes for the development of the PDETs in the sub-regions with ethnic presence. Blacks' organizations, as seen in a previous section, were not consulted but they were also included through the indigenous representatives. The indigenous woman Patricia Tobón, now magistrate of the Special Jurisdiction for Peace, was a key person in securing the ethnic focus of the decree. Article 12 established that the PDET "must contemplate a special mechanism of consultation for its implementation" that guarantees "the effective participation of ethnic peoples and communities in the design, formulation, execution and follow-up of the PDET" (paragraph 1). In order to ensure the ethnic focus, article 14 includes some guidelines, such as the respect of their autonomy, self-government and spirituality; territorial strengthening; cultural, environmental and biodiversity survival; ethno-development; woman, family and generation focuses; measures to protect the intangibility of the indigenous territories of the peoples in voluntary isolation or in initial contact; measures to protect the intangibility of the cultural heritage of the Rom. These general guidelines were a good starting point, but resulted insufficient to implement ethnic routes in each territory and that led to a lot of improvisation and learning on the go. In fact, the ethnic team of the ART was created months after the process had started, and they had to adapt quickly to the demands of the territories. In light of the lack of coordination,

the IEANPE requested the help of the *Procuraduría*, and Elena Ambrosí¹⁷³ manoeuvred to establish a direct channel of communication between the ART and the IEANPE. In those meetings, I could appreciate that, despite the good willingness of many members of the ART team to incorporate the ethnic views, they had timing, logistics, and administrative pressures that did not coincide with the times and ways of doing/being/knowing of the territories. The ART started local processes with the ethnic groups in order to set ethnic routes for the implementation of the PDETs; however, the IEANPE found this to be a procedure to divide up the organizations and requested to have national control of the different ethnic routes. In the end, that request was not fulfilled and the different regional ethnic routes were defined at the regional level (see chapter 5 for the case of Chocó).

Consequently, the perceptions of the process vary from a region to another, as was stated at the exercise of reflection about the process that was led by the PDET National Table, a group of social, civil, and academic institutions that have accompanied the process.¹⁷⁴ Regarding participation, the ART openly called to all members of the villages to participate, not necessarily members of organizational processes. On the one hand, this allowed a broader participation, but on the other, it generated a problem of representation, since some of these peoples were selected to join a working group at the municipal and regional levels, but were not always seen by the community as legitimate representatives. In addition, there was a general complaint that not all ART workers understood the ethnic logic, dynamics, and characteristics of the territory and that affected the participative dynamics because there was a disconnection with the community, despite the efforts of the ART to hire local people that should know better than people coming from Bogotá.

Also in relation to the logic of the territory and the methodology, there were problems regarding the articulation of the three levels of participation defined: village assemblies, municipality assemblies, and regional assemblies. At the last one, it was defined an Action Plan for Regional Transformation (*Plan de Acción para la Transformación Regional*, PATR), a document that operationalizes the PDET, with the selection and prioritization of the local and municipal proposals. The ART organized the local assemblies by villages in consultation with local people, yet it still broke the continuity of ethnic territories, territorial

¹⁷³ Deputy Attorney for Peace and the Protection of the Rights of Victims. See also Verdad Abierta, 2018.

¹⁷⁴ The views expressed hereafter had been collected in a working document which I reviewed for the case of Chocó (Asociación de Trabajo interdisciplinario ATI, 2018), as well as from my ethnic work in Chocó and with the IEANPE.

organizations and did not take into account the logic of the rivers in departments as Chocó. This happened because the government followed the administrative-political division of the territory, instead of the logic of the collective territories, since that would mean including more municipalities in the PDETs and therefore more expenses. This rationale created a lot of discomfort within the local communities because it revealed the enormous knowledge gap between Bogotá and the periphery. For one of the leaders of the Blacks Communities Process, the PDET is a strategy of disintegration:

The issue of territorial ordering that arises in the PDET has several visions: that of the government, which is that of the dominant economic sectors of the country; another is that of the FARC; another is that of ethnic peoples; and another is that of the peasants. From the point of view of the FARC, there are possibilities for political strengthening in those areas where they have been present and exercised dominance; they have an interest there for their political development. For the government it is a form of reordering the territory that for us generates disintegration of the peoples [...] When you look at the PDET, the territory gets disintegrated.¹⁷⁵

Another aspect that was discussed was the lack of attention paid to the urban areas where many displaced people from the rural areas of the PDET areas reside currently.¹⁷⁶ These victims live in poor conditions in areas of Buenaventura or Cartagena, for instance, and expected to be also contemplated in the programs despite of not living now in the PDET regions precisely due to the consequences of the armed conflict. The participation of those displaced people in the PDET assemblies could have been a good approach to bridge the urban-rural gap and consider also the needs of rural people living in urban areas.

Regarding the participation of women, the ART made efforts to favour their attendance by calling expressly women to participate and conveying the message at every meeting of the importance of women's contributions. In addition, the international community through agencies such as the United Nations Women accompanied some of the processes to train women to be able to actively participate in the assemblies. Yet, the lack of time and the rush to mobilize women implied that their participation was more symbolic than effective, based more on numbers than in content. Plus, the patriarchal culture that permeates the ethnic communities was not discussed as such, and the male leaders had the protagonist role in the meetings, and just invited women to talk as requisite to comply with.

¹⁷⁵ Interview, Charo Mina, (cit.).

¹⁷⁶ In the country, 7.7 millions of internal displaced people have been registered since 1985 until 2018 (ACNUR, 2018).

Figure 7. Black and indigenous women decide who will participate in the PATR assembly



Source: author's picture; N3vita, 10 August 2018.

The methodology used by the ART was not fixed, it indeed accommodated along the process, but still there were some specific steps to follow, as well as technical and timing constraints that overall did not allow for an effective participation of the communities. First, the government hired the German development agency GIZ to develop a toolbox for the implementation of the PDET. This toolbox was full of acronyms and technical words that diffculted the pedagogy of the process. The communities shared the view that the socialization process was too quick and they were not well-trained or prepared to participate in the different workshops. Also the fact that the ART was in charge of processing all the information generated in the Assemblies caused distrust because the communities expected some feedback from each meeting to know what had been included and excluded, and how it was written in paper. Some participants also felt that, at the end, the ART had the last word in the process and some procedures were imposed and not concerted.

The State invented the ART that brings the development plans. It was said that there had to be an Agency that would accompany rather than channel the processes from Bogot3, as it happened.¹⁷⁷

Probably the fact that affected the process the most was timing. The presidential elections in 2018 and the change of government by July of that year generated a lot of uncertainty about the continuity of the program. The Democratic Centre's candidate Iv3n Duque, supported by

¹⁷⁷ Interview, Benkos Bioho, (cit.).

Uribe, run a campaign against the peace accords; thus, there was a fear that the Peace Agreement would be reversed. The ART then worked against the clock to have ready as many PATR as possible before the change of government, so the communities could have the leverage, with a program approved in their hands, to claim for the implementation of the programs under a new political setting. Yet, the realities and logics of the territories and the budget difficulties impeded that the original deadlines were met or that most of the programs were approved before the elections.

In addition, due to the time constraints, the communities claimed that there was a lack of reflection and the PATR became a ‘shopping list’, but there was not a deep understanding and dialogue of knowledges between the communities and the institutions. As a leader of Urabá put it: “It is not only talking about the construction of a school or college, but the contents of them, the approach, etc.”¹⁷⁸ In this sense, I share Angie Lederach’s reflection on this aspect in her work with peasants from Montes de María, in which she explores the clashes between the peasants’ “alternative temporal register” that characterizes territorial peace, and the technical peacebuilding approach, based on “linear, project-based peacebuilding frameworks” (2017, p. 595). The failure to adapt to the rhythms of the communities but even the lack of time for western standards did not allow for a profound discussion of the territory and its development.

In addition, during the discussions, many territorial conflicts were raised at the local level, for instance regarding mining and the relationship with foreign companies, but the ART did not have the mechanisms or mandate to help sort them out, and the communities felt that there were not advancements and the status quo prevailed. In fact, the mining discussions were displaced to other settings such as the Mining Table or regional mining dialogues, and thus the whole community was not able not discuss in depth a topic such as mining that affects all inhabitants, nature, and environment. In general, the assemblies did not open the space to debate about the economic model, so the participants realized that many of their demands would not be taken into consideration. For instance, in the departments of Putumayo and Caquetá, it was proposed that the these sub-regional PDETs were declared areas free of mining and transgenic seeds, but it seemed difficult that the new government will take these proposals into consideration.

In the PDET there is a vision of economic development with particular interests of the State, the FARC and of us, in addition to that of peasants, and that generates conflicts because there is the view that we are a problem for development and that

¹⁷⁸ Intervention of a community leader from Urabá in the assembly held in Quibdó, August 2018.

we are always putting obstacles to the development of the country. An ethnic approach was needed from the beginning to avoid conflicts. The capitalist system is not being questioned; that was a mistake of the FARC.¹⁷⁹

The ART discourse and practice did follow the guideline of including all existing local processes in order not to start from zero. As established in the decree, the PDET must incorporate the indigenous life and safeguard established plans, the black ethno-development plans existing in the territories, the plans for collective reparation and land territorial plans, and the resulting PATR should be included in the National Development Plan. Thus, the ART workers used the language of these plans and tried to integrate them, yet there was not an exercise of intercultural translation, meaning that these plans were taken for granted without discussing the implications of conflating the local views of development with those of the central government, and what alternatives to work together would be available. Most of the times these plans were included as a check list, but with no reference to how they would be supported.

The territorial approach was expected to help strengthen the territorial organizations in terms of gaining more autonomy, executing resources, and overseeing the whole process. But the way the methodology was designed made that the ART ended up controlling all the information, the procedures, and finally also the budget discussions. In addition, the PDET created new structures of participation that multiplied the spaces of dialogue at the local level, resulting in an overload of work for the regional leaders who have to take part in many long meetings per week and cannot balance the different activities.¹⁸⁰

Another frustration was the lack of inter-institutional articulation given that one of the main objectives of the PDETs was to create trust in the institutions at the local level. To start with, the government created three different agencies¹⁸¹ to deal with the Comprehensive Rural Reform in order to make processes more efficient; yet it did not consider the necessary articulation. As many members of the community highlighted, until the land issues are resolved (regarding restitutions, legalization, formalization, allocation of lands), the PDETs implementation will face many shortages. In addition, although the ART attempted to mobilized mayors and governors at the municipal and regional level, these representatives were not attracted by the development programs since they knew that the city halls would not receive any extra funding to manage/spend. That lack of inter-institutional interest in the

¹⁷⁹ Interview, Charo Mina, (cit.).

¹⁸⁰ Informal conversation with the participants during the meetings.

¹⁸¹ The already mentioned ART; the National Agency of Land (*Agencia Nacional de Tierras*, ANT); and the (*Agencia de Desarrollo Rural*, ADR).

PDET reinforced the communities' perception that mayors do not care about the rural areas of the municipalities.

Secondly, the Peace Agreement had anticipated that point 1 on the RRI and point 4 on illicit crops had to advance hand in hand in the implementation phase. The idea was that the substitution of illicit crops would be accompanied by the structural transformations needed to offer well-being and economic opportunities to those uncommunicated communities that did not have any other economic alternative than that of growing coca leaves. But again landing Havana's ideas in Bogotá was a challenge: the PNIS was launched before the PDETs' process, and the PNIS team had its own budget and was independent to execute the program. Despite the fact that 95% of the PDETs areas have presence of illicit crops, and the PNIS and the PDET coincide in 118 municipalities, the two agencies in charge of the programs only started to articulate their works months later. For peasants it does not make sense to eradicate if the state has not yet provided infrastructure, market access, machinery for new agriculture projects, credit access, etc. However, the priority of the government, under the pressure of the US, has continued to be to show results on the number of hectares eradicated, and by the end of the Santos Presidency aerial fumigation was approved once again (Europapress, 2018). The development approach that the PNIS should have was instead exchanged for a security-lens, as it had previously happened in the Consolidation Territorial Plans under Uribe.¹⁸²

Finally, and most importantly, the implementation of the PDETs has taken place in the middle of the confrontations among the military forces, the ELN, and the paramilitaries and criminal groups still present in the territories (ICG, 2018). The government has not provided the security guarantees needed for social leaders (especially those participating in the substitution) to participate. Many of them have been threatened and murdered, breaking the social process and fabric in their territories, and fading away the hope of peace. Since January 2016 to November of 2018 the Ombudsman of Colombia reported 423 assassinations of social leaders and Human Rights defenders (CODHES, 2018). The number of victims have grown steadily since the signature of the Agreement, a feature that is very telling about the lack of guarantees of non-repetition in the post-agreement and the incapacity of the State to fill the voids in the regions, precisely one of the core elements of the PDETs. Given the lack of capacity of the state to counter the expansion of other criminal

¹⁸² Interview, Carolina Varela (cit.).

groups into the areas previously controlled by the FARC, some communities have organized their own strategies of defence as will be shown for the case of Chocó.

4.3. Conclusions

Despite the plurality of voices in the public space about what peace means, the implementation phase is showing that there is a privileged kind of peace. Ethnic peoples' ways of being and living have not been understood by the hegemonic thought. The inclusion of the Ethnic Chapter did not represent an inter-epistemic dialogue, rather a more pragmatic measure that incorporates the minority views into the predominant one. The government and its institutions continue to deny in practice the pluri-ethnicity of the country and what it represents in terms of recognition and interculturality. Examples of this were the government's reluctance to include ethnic indicators in the PMI and to consult all the peace legislation that could affect ethnic rights and territories, under the modern rationale that those processes would delay the implementation. In addition, the CSIVI from the government did not meet regularly with the IEANPE and did not facilitate a fluid dialogue between structures of monitoring and oversight. Yet, the Ethnic Chapter was a step forward to open spaces for indigenous and black peoples in key institutions in charge of the peace implementation. Having the first black and indigenous magistrates, truth commissioners, and territorial advisers implies a difference regarding the systematic exclusion of these peoples.

Regarding the conception and implementation of the territorial axis of the Peace Agreement, this chapter has shown that this approach is not a novelty in the country since different governments have implemented territorial-based peace programs since the 1960s. Yet, the main difference this time has been the accent on the participation of the inhabitants from the smallest villages of the country. This time the motto was not 'to take the State to the regions,' rather 'to build the State from the territories' by consolidating local and regional institutions and creating a virtuous cycle in which the communities reconciled with the State and the State got legitimized in turn.

Yet, the examination of the articulation between the territorial and the ethnic perspectives of the peace agreement through the design of the PDETs has shown that the ethnic dimension was another ticking box in the design of the programs. In this sense, the construction of PDETs was carried out with the participation of the ethnic communities but under the territorial logic and the development model underlying the Colombian State. Through the participatory dynamic, the State aspired to legitimate itself in the peripheries of the country

within the framework of a capitalist economic model and under a paternalistic relationship in which the communities became dependent on the capacity and/or will of the State to provide them, like in the past.

5. Chocó as an illustration of the territorial-ethnic interaction

This chapter works as a mirror of the thesis at a regional and a local level; it looks into a specific region of Colombia, the department of Chocó, whose population is mostly black (82,1%) and indigenous (12.7%), and which has been strongly hit by the conflict,¹⁸³ to see how the PDET has been designed along with the ethnic communities of that territory. The first part presents the demands and needs of the local communities affected by the conflict, and the second offers a decolonial analysis of the conception of the PDET in Chocó. The chapter concludes that the design of the PDET in the sub-region of Chocó was a process of accommodation, negotiation, exercise of rights, but also co-optation. There were two models of peace at stake: the view of the government of ‘peace as governance’, and the model of the communities of ‘peace as emancipation.’ Despite the initiatives and processes in place to include the ethnic views and respect their forms, in the end the centralist logic of the state took over.

In order to collect the information, I accompanied the communities and the *Agencia de Renovación del Territorio* (ART, Territorial Renewal Agency) during the design of the PDET since January 2018 until the approval of the final document on August 2018. As part of this process, I attended various preliminary meetings of the ART, at which the civil servants were trained (January-February 2018 in Quibdó); the two-day concertation dialogue in which the ethnic communities decided upon the ethnic route of the PDET in Chocó (16-18 May 2018 in Istmina); the community assembly in Bojayá (21-23 June 2018); the Territorial Pact of Istmina (18 July 2018); the workshop on the vision of the PDET (12-14 August 2018, Quibdó); the signature of the Action Plan for Regional Transformation (*Plan de Acción para la Transformación Regional*, PATR) in Quibdó (18-19 August 2018); and two meetings between the ART national team and the IEANPE in Bogotá (6 March and 25 April 2018). In addition, I conducted semi-structured and open interviews with local actors and leaders, the ART advisors in Bogotá, the director of Chocó’s ART regional office and several other civil servants, as well as government and FARC representatives in charge of defining the territorial peace approach during the peace negotiations. Furthermore, I

¹⁸³ The Single Registry of Victims of Colombia reports 144,170 victims registered in the department of Chocó, whose population is almost half million people, meaning that 1 out of 3 citizens have been affected by the armed conflict. Plus 553.009 victimizing facts have taken place in the region. Data consulted on 6 June 2019 at <https://www.unidadvictimas.gov.co/es/registro-unico-de-victimas-ruv/37394>. A new study on the impacts of war in Chocó counts 429,624314,755 victims of forced displacement; 24,150 victims of confinement, 19,200 threatened and 11,701 homicides in Chocó (Foro Inter-Étnico de la Verdad, FISCH, and Viva la Ciudadanía, 2019).

interviewed dozens of community leaders in order to have the context of how the conflict had affected them and their ethnic-territorial processes, and what their expectations were for the post-agreement phase and the PDET.

5.1. Getting to know Chocó

I arrived to Quibdó, capital of Chocó, by flight (50 minutes); the idea of taking a bus from Bogotá to go down the 550 km that separate both capitals is not even an option. The road infrastructure to enter the department of Chocó is very limited, and it could take more than 13 hours by car, many more by bus. There are only two main roads that connect Quibdó with the interior of the country, Quibdó-Medellín and Quibdó-Pereira, both with long unpaved sections and affected by continuous landslides. Within the department the road transportation is even more precarious since most of the paths are unpaved, filled of potholes.

The main highway is the Atrato River that connects Quibdó with the northern border of the department with the Atlantic Ocean. There are three main river basins that traverse the region; the Atrato River, the third main navigable river in Colombia, and the San Juan and Baudós basins. The life of the communities is organized around the rivers and the nature surrounding them; the local population uses the rivers to trade, cook, travel, bath, entertain themselves, give birth (in the case of the indigenous women), and celebrate many rituals (Offen, 2003). These three main rivers and the other fifty sub-basins of the territory are the backbone of life in Chocó.

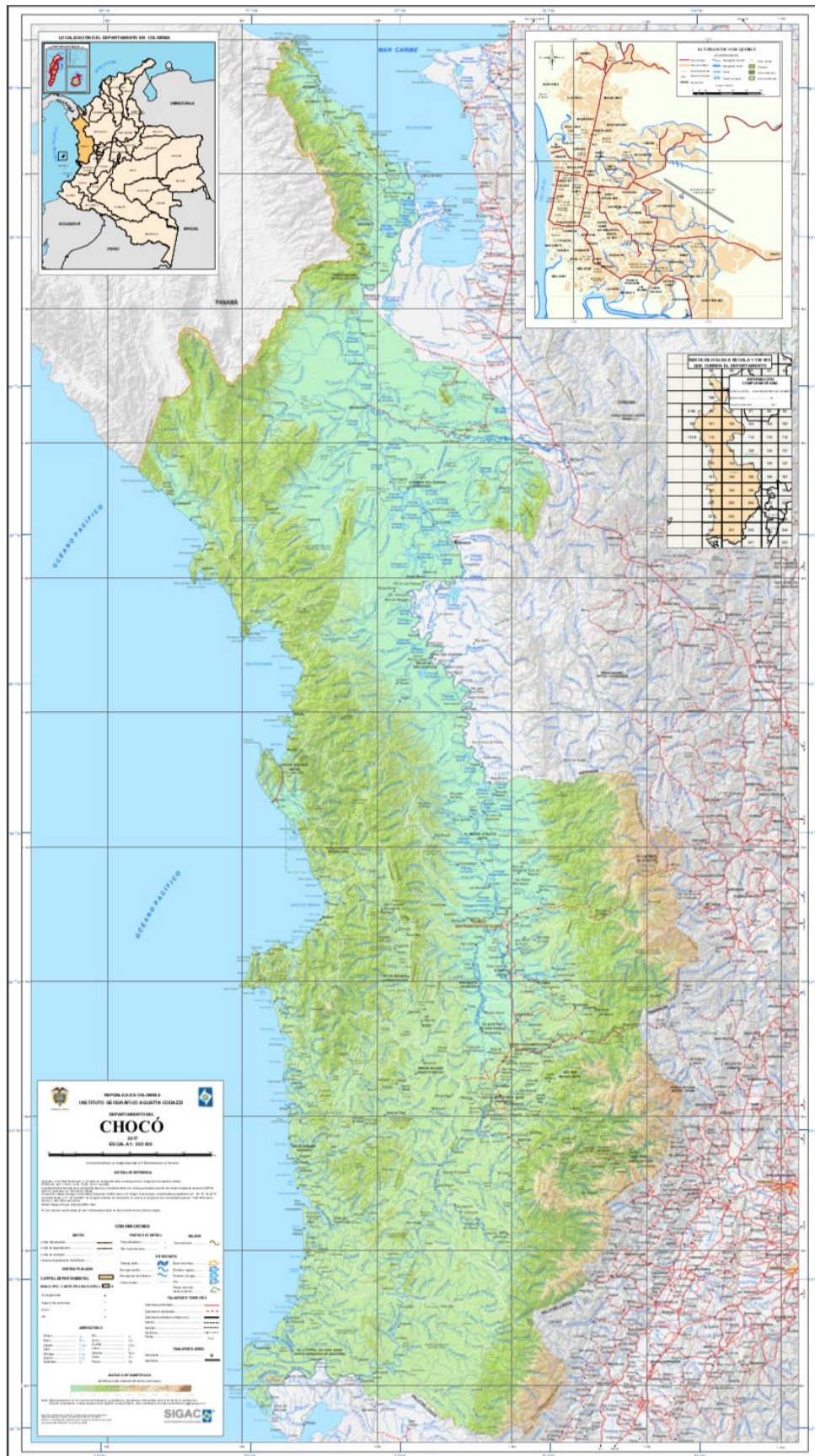
Figure 8. Riverside in Bojayá, Atrato River & Figure 9. Sunset in Quibdó, Atrato River



Source: author's pictures.

Chocó is part of the ‘Chocó biogeographic region’ that goes down from the border with Panama to the frontier with Equator along the Pacific Ocean, and gathers 10% of the biodiversity of the planet (PND, 2018-2022) (DNP, 2018). As a rainforest, Chocó is characterized for its pluviosity, one of the highest worldwide; as a result, agriculture is limited, and only some crops take roots, such as bananas, cacao, corn, coconuts, pineapple, and autochthonous fruits such as *borojó*, *chondaturo*, and *ñame* (PATR, 2018). Therefore, its population traditionally established a rotatory system of production that includes fishing, lodging, agriculture, and mining, mainly of gold but also platinum, silver, zinc and copper. Yet, in the last two decades the arrival of multinational mining companies – such as Chocó Pacifico, Minera El Roble, Bezant Resources, Negocios Mineros S.A., Continental Gold of Colombia – as well as criminal groups – including the ELN, the Gulf Clan, and the AGC (*Autodefensas Gaitanitas de Colombia*, Gaitanistas Self-defense forces of Colombia) – that trade gold as well as platinum and silver, has shaken the lives of the communities, their systems of production, and their social relations (Semana, 2017). Similarly, the expansion of coca crops and the transportation of cocaine through the region has raised the levels of violence in the territory given that various armed groups dispute the control of the trading routes, including the ELN, the dissidence of the FARC, and criminal bands (inheritors of paramilitarism) such as the Urabeños and the AGC (Ávila & Clavel, 2017). Likewise, due to its geographic location, Chocó is the entry door of arms via Panama.

Figure 10. Map of Chocó



Source: Instituto Geográfico Agustín Codazzi, IGAC.

The territory has served as “a repository of natural resources and raw materials” for the country (Lizarazo, 2018); its enclave economy implied that all its richness were extracted and exported, and the local population did not see the returns. The absence of the state and the precarity of the regional and local institutions have not contributed to the human development of its people. As a result, Chocó is the poorest department of the country,¹⁸⁴ and 79,7% of its population has at least one unsatisfied basic need. Plus 48,7% of its people live in extreme poverty¹⁸⁵ (PATR, 2018).

The ethnic composition of the department represents its maximum cultural richness: according to the last census (2005), 82,1% are blacks, 12,7% are indigenous, and 5,2% white or mixed. The ethnic people of Chocó was one of the first in the country to organize itself to demand territorial and ethnic rights, in the context of the Constituent National Assembly (1991). And also recently many of their leaders were behind the mobilization for the Ethnic Chapter, as seen previously. As we are going to explore now, the memories of the conflict in this department are still vivid and present; and their determination for a political solution to the conflict remains unchanged.

5.2. Memories of the conflict and dynamics of resistance

In Chocó one can ask anyone about the conflict. Almost everyone has experienced or know about someone else who have gone through the calamities of the war. Their vivid memories are the best footprint of what happened in their territories, their rivers, their communities (Quiceno Toro, 2016). After hours of interviews, conversations, talks, activities, I started to know a social reality that overflows pain, sadness, trauma, but also resilience, strength, survival, and hope. Since colonial times, Chocoans have lived without the help of the State. They have organized their own transport, education system in remote villages, traditional systems of medicine, own systems of production according to the rhythms of the river and nature, and have established a continuous intercultural dialogue between indigenous and black communities. Nobody else can explain better the experiences of the ethnic peoples

¹⁸⁴ In 2017, “poverty in Chocó reached an incidence of 58.7%, while in 2016 was 59.8%. At the national level, poverty went from 28.0% in 2016 to 26.9% in 2017” (DANE, 2018). In Colombia, “the departments where there are more people in conditions of monetary extreme poverty are Chocó, with 49.9 percent; La Guajira, with 47.9; Córdoba, with 40.3, followed by Magdalena, with 36.1, and then Sucre, who has 35.7” (Gossaín, 2018)

¹⁸⁵ According to the National Administrative Department of Statistics of Colombia, a person is in extreme monetary poverty when her monthly income is lower than 117 thousand 605 pesos (approximately 1,20 USD per day).

than themselves and those locals that have experienced the conflict firsthand; so I have selected fragments of their memories to build a storyline of the conflict and resistance.

I had to go to the North of Chocó when there was no guerrilla presence around the year 74, at that time there was a lot of poverty. There were many limitations, but people lived happily, it was like a paradise, there was always fruit, bush meat, chicken, eggs; people were very generous, you could sleep peacefully with open doors and nothing happened. But that spirit was lost, they became more aware, more cautious, more distrustful, more individualistic, with the presence of the armed actors.¹⁸⁶

Father Uli, a German priest, has lived more than 40 years in Colombia, mostly in Chocó working with the Claretians and the Social Pastoral of the Dioceses of Quibdó. Despite his advanced age he continues to visit the rural communities and remembers the evolution of the conflict year per year:

The conflict began with the dispute over logging: under the argument that these lands were uncultivated territories [tierras baldías], the lands were granted to companies such as Triples Pizano of the Samper family and Maderas del Darién of the Santos family [former Presidents]. With the approval of Law 70 [in 1993], their lands were considered ancestral territories and for that reason they were titled as collective. Even before the armed conflict, there was a conflict with the logging companies which were defended by the government, still without the presence of paramilitaries in the territory.

The root of the black movement in Chocó had as its objective the defense of the territory against the logging companies, first without a clear link to their ethnic status and the identity of the communities. At present also the presence of multinationals and foreign companies remains a challenge to the autonomy and self-government of the ethnic-territorial organizations. In the late 1980s and early 1990s, the arrival of armed groups changed the social conditions and dynamics of the territory. As the communities always say, the conflict arrived in Chocó, it was not born in Chocó.

The relationship with the guerrilla of the FARC at first was quiet because there was no counterpart and they were well accepted because there was no violence against the communities, although the FARC did exert an ideological imposition to present themselves as the best option. At the end of the 80s and the beginning of the 90s the paramilitaries began to perform intelligence tasks throughout the north of Chocó in the Urabá area as well as in Riosucio. By 1991 the paramilitaries began to make presence in Unguía and Acandí, and Riosucio. In Unguía there was one of the headquarters of Carlos Castaño [one of the leaders of the AUC]. Then the paramilitaries began to establish territorial control to take over the FARC's domination and also to control the population that supported the guerrillas. It was then when the first massacres started. The real purpose was to protect the interests of big landowners and protect the palm crops in the Bajo Atrato. Uribe [former President] was the main investor in palm crops. With Urupalma, which was Uribe's company, paramilitaries displaced Afro communities violently.

¹⁸⁶ Interview, Padre Uli, father of the dioceses of Quibdó; 1 February 2018, Quibdó.

The legal representative of the indigenous organization FEDEOREWA, and active member of the Departmental Table of Permanent Consultation of the Indigenous Peoples of Chocó (*Mesa Departamental de Concertación Permanente de los Pueblos Indígenas del Chocó*) – *Mesa Indígena* from now on—, Plácido Bailarín talks about the conflict, still with secrecy, as the demobilization of the FARC did not represent the arrival of peace in their communities:

There is a topic that is not talked about, that national and multinational companies with projects in the indigenous and Afro territories send armed groups, the paramilitaries. The paramilitary goal is to clean the territory so that the great interests of the Colombian State and of many national and international companies can freely arrive to execute their projects, which has been sometimes stopped by the presence of the guerrillas [...] We do not see peace just as the demobilization of an armed actor [...] because still as indigenous peoples we will have to continue opposing the megaprojects in our territories, such as the exploitation of mines, natural resources, and others, and that implies that there will be problems and there will be death, and that continues to be violence for the ethnic territories.¹⁸⁷

The natural resources of Chocó have marked the history of Chocó and its inhabitants from colonial times, when enslaved black people were brought from Africa to exploit the mines. Since then the settling of communities around the mining areas have conditioned their ways of living, relating, and organizing economic activities (Quiceno Toro, 2016; Weitzner, 2017; Offen, 2003). The dispute for those resources has also been a constant pattern in the last 500 years. Modestho Serna, Peace and Post-conflict Adviser of the Government of Chocó, has clear that the richness of the region has a double face.

Chocó is a place of armed conflict due to its geostrategic location. All armed groups outside the law want to have control of the territory to log trees, traffic weapons, and also to carry out illegal mining activities. There are guerrillas of all colors as well as paramilitaries.¹⁸⁸

The emergence of an ethnic feeling among the black communities in Colombia started in Chocó with the struggle to protect the territories where they live. The Social Pastoral of the Church was a key ally to organize and train the communities. Aurora Bailón, a Spanish nun that has lived most of her life in Colombia accompanied the whole process:

And we came to the conclusion as a team of the need to organize the communities and then the black communities of the Middle Atrato created the ACIA [*Asociación Campesina Integral del Atrato*, Comprehensive Peasant Association of the Atrato]. It was an association to claim territorial rights, but not of an ethnic nature at first. Later on, the issue of titling came up along the road and we contacted the director of the ANUC [National Association of Peasant Users] to socialize how the titling process had been in the interior of the country. But we saw that the situation was different in Chocó due to the collective working patterns and we concluded that here the titling did not have to be in plots but of the whole territory, and they said that we were crazy, that this was true for the indigenous, but not for the Afros. [...] The central government said there were no Afro

¹⁸⁷ Interview, indigenous leader of Chocó; Quibdó, 6 February 2018.

¹⁸⁸ Interview, Modestho Serna, Peace and Post-conflict Adviser of the Government of Chocó; Quibdó, 23 February 2018.

population in the Atrato and then 10,000 black telegrams were sent to show their visibility to the National Constituent Assembly and their mailboxes were filled. Several hours before the Assembly was closed, Antonio Navarro Wolf and the indigenous representatives said that they would not sign if the black communities were not included. And we got Article 55, and in '93 law 70 was worked and approved.¹⁸⁹

As seen in chapter two, at the national level there was a different perception of blacks and indigenous peoples, and the former were not seen as an ethnic group and therefore there was more resistance to their collective titling of lands. The first black collective title was Chocoan. Precisely when the communities were celebrating this title, the slow violence that has affected Chocó accelerated in the 1990s and 2000s with massive displacements, massacres, and targeted murders, as Uli continues to explain:

On May 26, 1997, the paramilitary takeover of the Middle Atrato began; paramilitaries were coming from Urabá, always passing in front of the military posts; the Pacific block from the south and also from the Medellín-Quibdó highway. They took Chocó and that was the end of the haven of peace. [...] The plan of the paramilitary takeover had the objective of removing the communities from the territory because they were a hindrance to economic development based on extensive cattle ranching, oil palm, timber, and also in that time, to the Interoceanic Canal in Urabá.

In 2014 the Inter-American Court of Human Rights (IACHR) declared that the Colombian State was responsible of the Genesis Operation, a coordinated attack of the military forces and paramilitaries to the communities in Río Cacarica, municipality of Riosucio, Chocó in 1997. Three thousand five hundred people were displaced as the result, but the state did not provide the corresponding humanitarian assistance and did not promote the necessary investigations in the aftermath, as the IACHR condemned (IACHR, 2013).

Many of the displaced people arrived in Quibdó and were there for a year without anyone noticing and no one was looking after them because extended families welcomed them, but solidarity also reaches a limit. The displaced communities occupied the Quibdó coliseum in 1997 and in Turbo [frontier city in the department of Antioquia] it was the mayor himself who sent them to the coliseum as a temporary solution, because the government wanted to disperse them in other sides of the republic, and thank goodness that we were there and channeled that situation. We told them that if they allowed the dispersion, they would never return and they would lose their land definitively. And we committed ourselves to help them to defend their territory. And the vast majority stayed and that represented a backfire for the government because there were 5,000 displaced blacks and the media began to cover the issue. There were headlines like 'Turbo, the Rwanda of Latin America'.¹⁹⁰

¹⁸⁹ Interview, Aurora Bailón, founder and adviser of ASPRODEMA, Association of Producers of the Middle Atrato; Quibdó, 26 January 2018.

¹⁹⁰ Interview, Father Uli (cit.).

Marino Córdoba, international representative of AFRODES (Association of Afro-displaced people), lived firsthand the consequences of the Genesis Operation. He had to seek refuge in Bogotá first and later in the United States because his life was at risk.

In the year 96 when the first collective title was granted within the framework of Law 70, the paramilitaries arrived in Riosucio with the support of the Army. I am from Riosucio, I left because of the Genesis operation [...] and once I had Uribe in front of me I asked him for explanations on the military operation and he said: "Yes, that's a guerrilla zone." All the Bajo Atrato and Riosucio were listed as red zones, and all inhabitants were labeled as guerrillas, but nobody mentioned the responsibility of the State that was not there, it was more important that the FARC had arrived than the State did not.¹⁹¹

The stigmatization was generalized and affected the daily lives of blacks and indigenous communities. The indigenous leader Lucy Chamorro talks about affectations at all levels provoked by the armed groups historically and even today:

And they affect us in the economic part of good living because they use us as shields; there is confinement; they do not let us leave the territory or go to do our daily activities. When we go shopping, the army puts rules [limits] because they think it's for the guerrillas. In the psychological aspect, the affectation is much greater because we are always thinking that there will be a confrontation.¹⁹²

The mobility of goods and peoples was also very affected during the conflict; at one point the armed groups paralyzed the navigation in the Atrato River, and the ethnic communities, along with the church support, put into place the initiative *El Atrateando*, a boat that coordinated the exchange of goods between the capital of the department and the riverine rural communities; they did the same for the Baudó Basin. Other initiative of resistance was the creation of the Inter-Ethnic Solidarity Chocó Forum (*Foro Interétnico Solidaridad Chocó*, FISCH) in 2001 that gathered together the rural ethnic-territorial organizations of the region to voice the humanitarian crisis they were going through and strengthen their organizational processes.

With the FISCH we wanted to organize a platform for all the organization processes of Chocó. [...] It worked as a form of resistance in the middle of the conflict, maintaining a minimum of peace conditions, and making regulations about how the community relates when an armed actor arrives, how the communities responds, etc.¹⁹³

Aureliano Quejada, leader of the FISCH, explains how the idea started:

In June 2001, we held a meeting in Murindó, which was attended by many people, and it was decided to denounce the humanitarian crisis on behalf of all the organizations so as not to do it in a personal capacity in order to avoid reprisals. We first thought to call it Communication Network, but an indigenous suggested that it would be confused with Uribe's Informant Network, and then proposed that it was called the Inter-Ethnic Solidarity Chocó Forum, and that it did not work as

¹⁹¹ Interview, Marino Córdoba (cit.).

¹⁹² Interview, Lucy Chamorro (cit.).

¹⁹³ Interview, Father Uli (cit.).

an organization but as a space for articulation. In 2002 we wanted to hold a meeting in Bellavista [municipal capital of Bojayá], but it was just in the dates of the Bojayá massacre, and we did it in Litoral de San Juan, but the following year on May 2, 2002 we did it in Bojayá in honor to the victims of the massacre. Follow-up committees were created; and three lines of work were defined: building an agenda of peace for Chocó; supporting the victims; and developing ethno-development plans.¹⁹⁴

The massacre of Bojayá refers to the death of around 80 people of those who had sought refuge in a church from the confrontations between the FARC and the paramilitaries. The FARC launched a cylinder-bomb to the opponent that was hidden behind the church and killed many villagers, including 48 children (CNRR-Grupo de Memoria Histórica, 2018). One of the first pardon acts by the FARC after their demobilization took place precisely in Bojayá in September 2016. The State also committed to organize a similar event on its behalf because the armed forces did nothing to prevent the confrontation although they were aware of the escalation of violence among the armed groups, and allowed the paramilitaries to move freely in the territory. Bojayá remains to be one of the worst massacres of the conflict in the whole Colombia and became a symbol of the violation of rights of civilians.

The memories of the conflict, as we have seen, remain to be the backbone of the historical development of the ethno-territorial organizations of Chocó. The conflict in Chocó was both related to the arrival of multinationals to the territory to exploit the natural resources of the population and the arrival of armed actors, first as rear zone to rest for the FARC and then to control the area and protect the interests of palm growers in the north of the department, as well as the criminal routes of drug trafficking and illegal mining, among others. The abandonment of the state and its limited presence to security forces that most of the times work in connivance with the paramilitary groups made that the population self-organized and self-protected through different methods. As mentioned above, the constitution of community councils and indigenous cabildos, as well as the collective titling of their lands as ethnic peoples allow them to confront and resist the attacks and displacement of the armed groups. Without the ethno-territorial organizations and alliances the humanitarian impact would have been more negative.

5.3. The Peace Agreement: between hopes and expectations

During the peace negotiations, the ethnic communities of Chocó raised hopes for the post-conflict times. They had always supported a negotiated solution to the armed conflict and

¹⁹⁴ Interview, historical leader of FISCH, and currently member of CENPAZ in Chocó; Quibdó, 23 January 2018.

backed up the peace process, as well as the reelection of president Santos in 2014, so he could continue with the negotiations. Yet, they also knew that the end of the armed conflict could bring about more foreign investments and external extractive projects that endanger their ways of life, and that is why they also joined the national efforts of the other ethnic organizations in order to have a say in La Havana, as recounted in chapter 3.

The demobilization of the FARC in 2016-17 was felt by the communities in their day to day: their mobility via the rivers in Chocó improved and initially there were less displacement, confinements and deaths in the territory. However, the government was not able to fill up the voids left by the FARC, and consequently the ELN strengthened its control over the territory quickly after in order to manage the drug routes and illegal mining business, and the humanitarian situation in Chocó became worse in the year after the signature of the Peace Agreement.¹⁹⁵

The ELN guerrilla arrived lost, without structure, without order, without logic, without ideology. The ELN arrived pressing, threatening, taking our food, appropriating the community spaces. The others [the FARC] always kept distance. This group [the ELN] does not know about our own autonomy and government, and our hierarchy. Any resistance is seen as a threat. All means of transport are intervened. If someone denounces, they threaten us. We did not find anyone as an interlocutor. Most of them do not have the minimum political training to justify why they carry a weapon. They do not have a clear ideology. With the FARC, it was clear, and we understood each other. There is a strong recruitment process by the ELN taking place, mainly due to economic difficulties.¹⁹⁶

Given the difficult humanitarian situation after the FARC withdrew from the territory and the ELN took over, in September 2017 the FISCH and the *Mesa Indígena*¹⁹⁷ launched a community initiative called ‘Humanitarian Agreement Now for Chocó.’ They requested both the government and the ELN to continue the political negotiations that had started under Santos’s presidency; to respect International Humanitarian Law, the lives of the communities, to stop the confinements through personal mines, and they asked both parties to continue searching for a political solution to the conflict. Some of the leaders of the Humanitarian Agreement even traveled to Quito and La Havana to participate in the peace

¹⁹⁵ Interviews, indigenous social leaders from Chocó; Quibdó, 2018.

¹⁹⁶ Interview, indigenous academic from Chocó; Quibdó, 23 February 2018.

¹⁹⁷ The five indigenous organizations of the department split from the FISCH in 2013 because they did not feel well represented by the black control of the Forum. Notwithstanding, they have continued to articulate their resistance and peacebuilding initiatives with the FISCH.

FEDEOREWA, ASOREWA, CRICIH, OICH and WOUNAAN are the five current regional organizations of Chocó; they initially belonged to the same original organization, OREWA, established in the 1970s. In the 1990s they started to split because of personal and budget disputes. Despite the break, the five organizations realized that they still defended the same goals and therefore organized themselves around a concertation table for the department in 2011. Interviews, social leaders from different indigenous organizations of Chocó; Quibdó, 2018.

negotiations, within the audiences with social actors that were part of point 1 of the peace agenda with the ELN. These ethnic leaders from Chocó had the chance to expose the hard reality Chocoans communities are experiencing in the years of the post-agreement (2017-2019). As part of this initiative, the ethnic organizations proposed to establish a verification system in the five sub-regions of Choco in order to assist the communities affected and report the human rights violations committed. The international community, including the Swiss, Swedish, and German embassies as well as the United Nations and the Organization of the American States, have been giving technical support, accompanying, and financing this process as a way to support the local initiatives in pro of the peace dialogues (see Rodríguez Iglesias, Rosen & Masullo, 2020).

However, the new government of Duque was reluctant to continue the negotiations from the beginning of his term (July 2018) and, after the explosion of a car bomb placed by the ELN in a military station in Bogotá in January 2019, suspended the negotiations (*El Espectador*, 2018). The IEANPE, along with the FISCH and the *Mesa Indígena* launched a rapid response that included the continuation of conversations directly with the ELN in the territories and the expansion of the Humanitarian Agreement to other regions of the country going through similar difficulties, such as Arauca, Tumaco, and the Catatumbo region. Yet, the bilateral conversations with the armed groups have been banned by the national government who claims to be the only interlocutor with the capacity to talk with the ELN, and the Humanitarian Agreement is still being developed by the communities with the international support.

We can see that the resilience of the communities and their commitment to peace before the Peace Agreement and after it has not ceased, and they continue to advance peacebuilding initiatives in the middle of the conflict, with all adversities ahead. With the approval of the Ethnic Chapter, as seen in Chapter 3, they have continued to claim power-sharing in the territories, by exercising their autonomy and self-governments rights. Next section explores these articulations in relation to the design of the PDET in the sub-region of Chocó.

5.4. A Decolonial analysis of the Ethnic-Territorially-Focused Development Program of Chocó

The construction of the PDET in the sub-region of Choco was a process of accommodation, negotiation, exercise of rights, but also co-optation. From an ethnographic perspective through the accompaniment of the process, I contend that, at least, two models of peace were

at stake: the view of the government of ‘peace as governance’, and the model of the communities of ‘peace as emancipation’ (Richmond, 2005). Peace as governance implies the recognition of the other but within the hegemonic model of the nation-state in order to extend its sovereignty and control the population. In Foucauldian terms, it is the expression of the biopolitical governance of the territories through the exercise of power over the peripheral population. It responds to the kind of pragmatic interculturality for the sake of governmentality instead of an interculturality that is open to a ‘knowledge other’, a ‘policy other’, a ‘way of being other’ (Palermo, 2010). According to the epistemologies of the South, the PDET fell short of overcoming the abyssal lines (Sousa Santos, 2014) between the centre and the periphery, between the mestizo nation and the ethnic diversity, between the urban and the rural people, between the Andean and the Pacific region. Although there was a clear attempt of advancing an intercultural translation (Sousa Santos, 2012), the results of that practice remained at the local level and did not transcend the line that divides them from Bogotá and its centralist institutions.

Peace as emancipation takes a different approach; it seeks the reconciliation of the nation and with the State, but from a decolonial perspective. The decoloniality of peace means the end of the structural racism of the state; the recognition of the difference as a richness of the country, instead of a rarity that has to be incorporated; the open space for a plurality of models of development according to the ancestral knowledges of afro and indigenous, that allows for the break of the traditional power hierarchies made of the regional and national elites that implement only those economic policies that reproduce the status quo and serve their interests. Peace from an ethnic-territorial perspective is linked to their autonomy, self-government, and social justice, as explained in Chapter 2 and 3. Notwithstanding, there is also a plurality of peaces at the local level, that although defending an ethnic approach still reproduce many colonial footprints, mainly in terms of development, as it was evident during the PDET process. We could say that ‘border thinking’ (Mignolo, 2000), takes various degrees of detachment from the hegemonic thought and practice; thus, the counterhegemonic appropriation of Western concepts and identity policies varies a lot at the regional level and not always helps to establish a horizontal force of resistance.

5.4.1. Positives and negatives of the PDET’s conceptualization in Chocó

The ethnic-territorial organizations of Chocó got deeply involved in the development of the PDET since the start of the process and the sub-region became a national example of

coordination between the ethnic groups and the ART local team. The process was full of ups and downs, but overall the communities were satisfied as long as they managed to sign a PATR with a list of demands and needs. On a positive note, the PATR in Chocó was approved in a record time despite of being one of the regions that started the process later and had severe budget constraints. For that reason, the ethnic communities, used to the fact that Chocó is always late and things do not work there, congratulated themselves on a technical level as well as for including an ethnic route in the whole process. However, on the negative side, the technicalities of the process took the protagonist role over the depth of the reflections about what kind of territorial development they aim for their territories. In addition, as the basic needs in the region are extremely precarious, the ethnic communities put their efforts on claiming the State to comply with the minimum basic needs, and the discussions on the ethnic approach, although present, were a secondary issue.

For the regional director of the ART in Chocó, Elisabeth Moreno, ‘Betty’ Moreno as is known in the territory, the design of the PDET in Chocó represented “a challenge to the centralist and technical approach from Bogotá.” Her leadership was key to include an ethnic perspective in the process; in that vein, the empathy between the direction of the local team and the ethnic territorial-organizations was also determinant to conclude the process. Overall, she projected confidence among the local people and that helped to overcome the initial mistrust from the government. After the consolidation of the PATR, I had the opportunity to discuss with her the challenges faced during its implementation. According to her there were many ethnic-territorial challenges during the design of the program due to the knowledge gap in Bogotá between the centre and the periphery of the country:

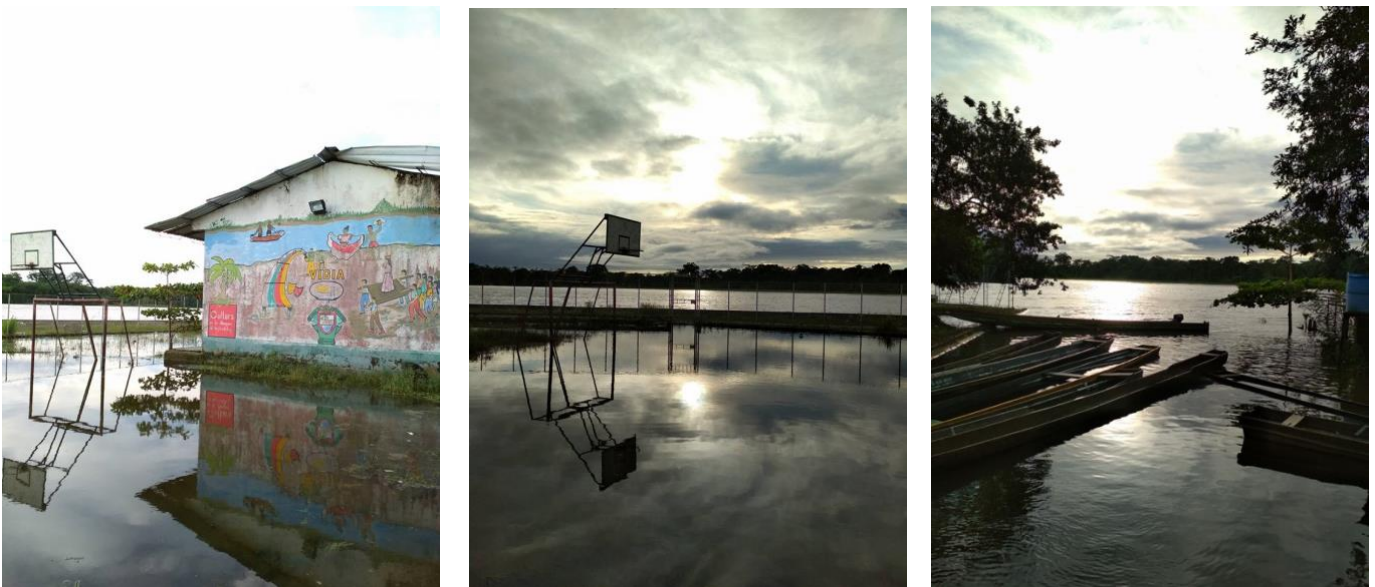
The relationship with the national level is not easy due to the ignorance of the regional context and the conviction of the technicians and officials of the national level that the proposal designed for the country should be executed in a homogeneous manner, ignoring that the technicalities that are seen from the national level clash with regional diversities, in a country that is not homogeneous, that is diverse, that has regional differences marked by geography, culture, history, territories, but above all, development.¹⁹⁸

During the process there were many attempts to include the ethnic logic; but most of the times there were technical difficulties and lack of understanding from the ART national workers sent to the territory that impeded so. In the end, the centralist view overflowed the entire process. The first battle for the ethnic-communities was to secure a mechanism of special concertation as established in the PDET decree, so the communities could define

¹⁹⁸ Interview, Betty Moreno, director of the ART team; Quibdó, 24 August 2018.

autonomously the different steps of the process. This mechanism was unique nationwide; Choco was the only region where all the ethnic peoples agreed to follow a similar ethnic route. The representatives of 64 community councils, 55 indigenous authorities, representatives of the Antioquia Indigenous Organization (*Organización Indígena de Antioquia*, OIA), as well as from the FISCH and the Departmental Bureau of Permanent Consultation of the Indigenous Peoples of Chocó, assisted the event and decided upon the ethnic route, in the middle of timing and budget constraints established by the ART. Although it was supposed to be an autonomous concertation, the ART was present in the meeting and established some limits about the possible duration of the assemblies and the calendar in order to fulfil its own schedule.

Figure 11. Vigía del Fuerte flooded by the rain



Source: author's pictures; November 2017

Yet, the inclusion of the ethnic perspective it was more symbolic and formal than substantial. For instance, the name of the PDET was changed to PDETE to include the E for 'ethnic'. Also the indigenous and black leaders requested that the eight pillars¹⁹⁹ of the national PDET were adapted to the categories established within their ethno-development and life plans. For the Afro, the five pillars were: economic development, social development, development and sustainable development, development and ethnic-territorial strengthening, and development of infrastructure; for the indigenous, the five pillars were: natural ordering of the territory and economic development, social development and gender equity, sustainable

¹⁹⁹ 1. Social organization of rural property and land use; 2. Economic reactivation and agricultural production; 3. Rural education; 4. Housing, drinking water and sanitation; 5. Rural health; 6. Right to Food; 7. Reconciliation, coexistence and peace; 8. Infrastructure and land adaptation.

and environmental development, development and ethnic-territorial strengthening, and development of infrastructure. Although the names changed, in the end, they still had to work on the eight national pillars. After all this exercise with the regional ART, the information of all the local, municipal and regional assemblies had to be processed according to the national systems, classified in the eight defined pillars. Thus, the PATR does not reflect the changes introduced by the ethnic organizations in the ethnic route.

Beyond the technicalities, more importantly, all the intercultural discussions and debates that took place in the territories remained in the territories. This means that when a leader explains why and how they need to recover their ancestral medicine plants and knowledge, and how it should be made compatible with western medicine, her insights were lost because the information was processed in general terms that simply state ‘health system with an ethnic focus’ without explaining in extent what that focus would explicitly imply. In addition, the intercultural translation generated in these spaces among the communities and the ART workers is not communicated to the institutions and Ministries in Bogotá in charge of the implementation of the proposals. Thus, despite the epistemic conciliation, the hegemonic positivist and centralist methodology impeded that the exchange of knowledges transcended from the specific exercises. This is extremely worrisome for the case of Chocó, where both ethnic communities have gone through years of detachment from their cultures due to the arrival of foreign companies and armed actors that have altered their traditional systems of production, collaborative work, cultural beliefs and practices.

We talk about the natural ordering of the territory we already had based on our spirituality, our worldview. Unfortunately, we began to break that, which was very spiritual, with the arrival of the paramilitaries and the guerrillas. In that puddle do not bathe, do not hunt at the head of the river. That order that we already had is over, so today we have to recover it, and organized it according to our worldview.²⁰⁰

There is an internal fragility because the new generation of young people, with the process of acculturation, and their relationships with the outside, no longer accepts their own principles, and that makes them easy to co-opt. And the new generation does not handle the knowledge of its own culture, it does not know its own justice. They are not listening to the elderly. In the 80s and 90s we did not speak Spanish, and that distanced us from the West, but now the new generations study and manage Spanish, and that ease of communication makes it easier for them to talk with armed groups.²⁰¹

One of the main colonial footprints in the daily lives of Chocoans is that many of them tend to understand development in Andean terms, referring to the central regions of the country that are traversed by the Andes and whose modes of production vary due to their

²⁰⁰ Intervention of an indigenous leader at the Concertation meeting in Istmina, 16-18 May 2018.

²⁰¹ Interview, indigenous academic (cit.).

geographical location, despite the fact that the Pacific region displays other natural characteristics. For instance, one of the main cases of disagreement among the local communities is the role mining should play in the territorial development. Even at the interior of the black community councils, there is a strong division between those that defend the traditional or even mechanised mining, as long as it is done by themselves, and those who defend a territory free of mining.

The first groups allege that blacks have always practiced mining and it is their way of living; while the second group responds that mining hurts the territory and the lives of all its beings and, thus, that activity should be prohibited or restricted to the manual extraction (known as *barequeo*). In general terms, there are two main processes taking place in the region of Chocó regarding mining. On the one hand the Federation of Medium and Small Miners of Chocó,²⁰² as well as other miners, are advancing conversations with the government through a ‘table of dialogue’ that was established in 2013, with the goal to ease the conditions for local miners to exercise that activity, and put an end to the illegal mining in the department. On the other hand, as already mentioned, some of the main community councils of the territory filed a complaint against the State for the negative consequences that mining has caused to their hydric sources and their communities.²⁰³ The sentence that protects the Atrato River is a step forward for an intercultural translation since the Constitutional Court took the spiritual and cultural worldviews through a biocultural approach to recognize the river as subject of rights, in what we can consider a relational ontological approach in line with the thought and practice of the communities.²⁰⁴ The sentence also asks the government to take measures against all illegal mining, and orders the environmental recovery of the damaged territory. There is also a third group of black people that defend the traditional practice of mining as long as it is conducted as a complement to their diverse systems of production along the year (fishing, crops, logging), as this was their way of survival since the colony.

²⁰² FEDEMICHOCO is led by Ariel Quinto, a traditional miner of the region that recently joined the political group FARC and was chosen as one of the members of the IEANPE, for the implementation of the peace agreement.

²⁰³ Notwithstanding, many of the mining in Chocó is conducted with the permission of some community councils that are bought off by the multinationals and cede to sign contracts that affect the collective territory without consulting with the rest of the community. Interview, black social leader; Nóvita, 10 August 2018.

²⁰⁴ Father Sterlin Londoño wrote an ‘alabao’ (traditional black sung poem) to praise the sentence T-622 and it is reproduced in extent in annex III given its cultural, emotional, and social value.

Figure 11. Fishers selling at the shore of the Atrato River (left) & Figure 12. Visit to Paimadó, with the EU delegation in Colombia to see the ravages of mining along the Quito River (right)



Source: author's picture, August 2018.²⁰⁵

Most indigenous organizations, on the contrary, oppose the mining activities because these hurt the Mother Earth, and thus claim for a more sustainable and harmonious development model that respects nature. Some of their leaders make clear that the Western ‘environmental language’ – such as sustainability, biodiversity, green growth, etc. – is strange to their cultures, as well as technical approaches like territorial ordering; they defend a natural ordering of the territory based on the cycles of nature and the relational ontology among the different living beings of the territory, versus a dualistic approach that differs human from nature. Yet, other indigenous leaders have adopted a westernized discourse that includes the perspective of sustainability, biodiversity, eco-guardians, payment for environmental services, among others, that reproduce a hegemonic micro-physics of power that gives shape to their subjectivities and identities (coloniality of being) as collaborators and indispensable actors of the ‘sustainable and green economic growth/development’ (Asher & Ojeda, 2014; McKay, 2018; Castro-Gómez, 2005). As some academics and black and indigenous activists put it, “these developmentalist conservation efforts represent a new form of “green capitalism” that reinserts both nature and culture into a production system for material gain” (Asher & Ojeda, 2014, p. 161). That tension was also not caught in the PATR, and the discussion was cut short.

²⁰⁵ We could not photograph most places during the boat trip because the mining dragons were operating and it was risky to take pictures.

Also regarding this point, there were many initiatives related to the pillar of economic development that were thought as Andean solutions to Pacific needs. As Elías Córdoba, a well-known urban black intellectual of Quibdó, explains, “people need to re-read the territory; otherwise, they take bad decisions such as extractivism and economic activities that are not viable in Chocoan soils.” He has worked overseeing productive projects during many decades in the region, and learnt about the limits of the soil of a tropical forest so he criticizes the discourse that defends economic activities that are coming from other regions, such as the need for heavy machinery or industrial sugar cane activities, among others. As Córdoba argues, the community did not count with adequate technical support for the discussion of this pillar and followed a reading of the territory that was not in accordance with their own resources and the traditional diversified productive systems. This coloniality of knowledge/power happens because the centralist discourse of the State has always been that blacks and indigenous are an ‘impediment for development’, in comparison with the mestizo population of the Andean region, hence many local people assume that the Andean model is the solution. Thus, the lack of knowledge of the centralist state about the needs of the periphery has reproduced the same mistakes for centuries, and based the development of these regions in extractive strategies that only benefit big national and international companies.

In addition, the execution of the PDETE in Choco represented a huge challenge to the ethnic territorial unity, since the selection of the prioritized territories²⁰⁶ was based on an administrative division of the territory, in municipalities, despite the fact that the collective territories and *resguardos* do not have frontiers and follow the logic of the rivers and the hydric basins. The State's lack of knowledge about this reality was clear when the transportation budget for the PDETs did not include the waterways. As a result, it was necessary to make an addendum to the transportation contract that took up months and that implied the delay in the design of the PDETE. In addition, the budget was never enough to transport people through the rivers, and most of the encounters had to be financed by the international community. Plus, in Chocó only 12 out of the 30 municipalities were prioritized for budgetary reason and that caused a lot of discomfort among the community councils and

²⁰⁶ The subregion Chocó includes 12 municipalities from Chocó (Unguía, Acandí, Riosucio, Carmen del Darién, Medio Atrato, Condoto, Medio San Juan, Bojayá, Sipí, Nóvita, Istmina, Litoral de San Juan) and two from Antioquia (Vigía del Fuerte and Murindó). The last two are similar to those of Chocó in economic, population, and cultural terms.

the cabildos, since the whole territory was affected by the conflict and the abandonment of the State.²⁰⁷

In general, the participation of the communities did not represent a profound change on the traditional design of public policies. The ethnic communities were more objects of study than knowledge producers. The State gained an enormous database of the needs of the communities, but there is no clue about when the new government is going to fund all the proposals included in the PATR and if their implementation is going to be coordinated with the communities (as of June 2019).

The initiatives of these Municipal Pacts will be technically reviewed based on feasibility, and prioritized by the competent sectors of the national and territorial levels, taking into account public policies, the current regulations and the particularities of the territory. Those that are feasible and prioritized may be implemented in the next 10 years, depending on budget availability, the fiscal framework of the national and territorial public sector; the offer of the private sector and international cooperation. (PATR, 2018, p. 9).

That extractivism of information far from reconciling the communities with the State, as Jaramillo envisioned, created a new opportunity for frustration and distancing. A clear sign of the lack of interest in the project was the absence of the mayors and the governor along the process; these authorities or their representatives only participated when they had to sign a document but did not accompany the discussions and were not interested in the results. As Betty Moreno remarks:

We approached the 14 mayors and the governor, as well as the regional entities, but I feel that the institutions are completely weak. The uncertainty about who is going to execute the resources is not attractive for the mayors and for the governor, especially when it feels that they will have a strong oversight by the communities. It is perceived that mayors have deep differences with the community councils and indigenous cabildos regarding the issues of territorial administration and the management of property resources.²⁰⁸

That view is shared by the community:

Our mayors have not yet understood what the PDETEs are, and they did not think that once there was an agreement they had to be prepared to implement them. The mayors are skeptical of working with social organizations, they see us as enemies.²⁰⁹

To finish this section, I would like to refer to the vision toward the future (10-year term) that was collected in the PATR, which says:

In 2028 the population of the PDETE sub-region Chocó will have been recognized for its contributions to the construction of the Nation, the environmental use of the

²⁰⁷ In diverse meetings, they formally requested the ART to include the whole department but that was not considered by the government since the chronogram was already established.

²⁰⁸ Interview, Betty Moreno (cit.).

²⁰⁹ Interview, black leader from a community council; Quibdó, 2018

geographical space, and for its participation in the formulation and implementation of public policies. It will be a territory, recognized as a living space based on ancestral practices and knowledge, and for the recovery and strengthening of productive and connectivity systems, in addition, with the necessary and adequate infrastructure.

All of the above will be the product of a commitment to competitive social, political and economic development, in harmony with the natural and cultural heritage, guaranteeing territorial autonomy, sovereignty and governance, with a differential ethnic, gender and generational approach. In the PDET sub-region Chocó, its ecosystems and social fabric will have been restored, constituting for the country an emblematic space of reconciliation, reparation, coexistence and territorial peace, where good living and the effective enjoyment of rights are guaranteed.

In this nutshell, the communities and the regional ART team managed to consolidate the negotiated vision for the territory, making explicit the ethnic territorial autonomy, sovereignty, and governance, and their spiritual connection with the territory. Unfortunately the initiatives section does not go into detail to explain how the ethnic-territorial perspective can be implemented in practice by centralist institutions in Bogotá, if the PDETE is finally implemented. Thus, the decolonial analysis of the PATR can be concluded with a bittersweet conclusion: despite the regional efforts to accommodate the ethnic worldviews, the program still reproduces the overall centralist view of the nation-state through the technical systems, the timing and financial constraints, and the lack of understanding of the periphery and the ethnic dimensions. The participation and articulation of the communities around the process thus represents a mechanism of co-option, by linking them to the rigidities of the system and establishing a dependency dynamic in which the communities demand things to a providing State, but it does not improve the ethnic capacity to self-administrate the public policies in their territories. In the signature of the PATR in Quibdó, the leader of the OIA Eugenio Bailarín concluded: “The PDETE has to navigate five centuries; we have already suffered discrimination for five centuries; now they have to reinforce the sense of belonging. We need healthy hearts and spirits in connection with nature. Return the institutions to the people.”

5.5. Conclusions

In the 1990s the Department of Chocó passed from being an oasis of peace to become a territory of war, marked by massive forced displacement, confinements, and massacres. Given the impact of the conflict, its ethnic peoples collectively organized both to preserve their territories and their lives. The peace process with the FARC brought about a wave of hope and some of the territorial leaders did not hesitate to take an active role to participate in the negotiations. The signature of the peace deal and the inclusion of the Ethnic Chapter

motivated them to redouble efforts during the peacebuilding phase, despite the fact that the humanitarian situation quickly worsened afterwards. As this ethnographic chapter has shown, the territorial organizations had an active role in the design of the PDET in Chocó and its translation into the PATR, a process that took place between January and September of 2018. Yet, despite the multiple participatory spaces and the agreement reached between the ART and the ethnic-territorial organizations on an ethnic route from the start of the process, the resulting development plan fell short of reflecting an inter-epistemic understanding of the worldviews of ethnic peoples. The inclusion of the ethnic perspective in the process did not have the same impact on the content, that is, in thinking the territory in articulation with the State, through an intercultural translation and accommodation of ethnic worldviews. In addition, it was difficult to open space for an alternative development model according to the needs of the Chocó region. On the contrary, under a logic of internal colonialism, some ethnic-territorial authorities even emulated the Andean models of production and economic development based on large investments and mechanized exploitations. Furthermore, looking into how these programs will be implemented, the government agencies and ministries retained the executing and financing roles and did not allow ethnic-territorial authorities to strengthen their capacities for self-government and autonomy.

CONCLUSIONS

At the time I write these conclusions, I read about 250 social leaders assassinated in 2019 and 282 in 2018 in Colombia (*El Tiempo*, 2020); about 97 indigenous leaders been assassinated during Duque's government; about the increasing rate of homicide of activists, mainly black and indigenous peoples in conflict zones (ONU Noticias, 2020); seven indigenous minors bombed in a military operation in the south of the country and how the government tried to hide it (*El Espectador*, 2019); the stalling of lands restitution in Chocó (VerdadAbierta, 2019a); the continuity of war that does not allow to proceed with the humanitarian demining in Chocó (VerdadAbierta, 2019b); the take of control by paramilitary groups of small villages in the municipality of Bojayá, Chocó; and, in general, how the peoples of Chocó live one of the worst humanitarian crisis in the last decades, looking to the figures of forced recruitment, massive displacements, confinements, and expansion of illicit crops (Sánchez, 2019). The continuation of violence during the post-agreement was expected given that the agreement was only with one armed group; however the lack of capacity of the government of Santos during the two first years of implementation and the lack of willingness of Duque's government in implementing the peace policies have generated a big distrust among ethnic-territorial organizations, as well as demobilized FARC members, potential negotiators as the ELN, and supporters of the Peace Agreement.

With this panorama in the country, it is time to reflect how the Ethnic Chapter of the Peace Agreement has opened (or not) space for ethnic peoples to build an ethnic peace according to their own worldviews.

This thesis has argued that the ethnic peoples of Colombia managed to include an Ethnic Chapter and, therefore an ethnic dimension of peace, in the Final Peace Agreement between the government of Colombia and the FARC-EP in 2016, thanks to their own agency, their national and international mobilization, their capacity to join forces between black and indigenous national and regional territorial organizations, and their historical capacity to resist and defend their ethnic-territorial rights.

The window of opportunity that represented the historical moment of the peace negotiations involved a very punctual intercultural dialogue between the representatives of the government, the leaders of the FARC, and the black and indigenous leaders. The three actors acknowledged that the inclusion of the Ethnic Chapter indeed paid a historical debt to the ethnic peoples of Colombia. Afro and indigenous communities not only suffered from the

FARC's strategy to control the territory, but also from the historical oblivion of their peoples and territories by the state on the one hand, and from the neoliberal economic and modernization model that was imposed in their regions through military and also paramilitary means, on the other. Therefore, as collective peoples of Colombia, these ethnic-territorial organizations understood that they had to represent their own interests and rights at the peace negotiations table and managed to do so.

Despite the fact that the ethnic groups managed to include an Ethnic Chapter, its negotiation in the last months of the peace process and the writing up of the text in barely a few hours before the signing of the Peace Agreement showed the lack of willingness to negotiate with them, and what can be seen as a temporary decolonial moment was rapidly closed in the first two years of the implementation phase. The coloniality of power/knowledge/being that has persisted after independence, as explored in Chapter Two, strongly resurfaced within the institutions of the country in charge of implementing the Peace Agreement. The result was that in the implementation there was a general neglect and omission of the ethnic focus the Ethnic Chapter included, such as the respect to their cultural objection, the right to prior consultation, autonomy, self-determination, self-government, and the protection of ethnic identities and their land rights.

In particular, the territorial peace-approach of the Peace Agreement opened room for the participation of local people in the implementation of the Agreement; yet, as discussed in Chapter Four, the concept of 'territorial peace' is open to different interpretations among government officers, former FARC combatants, and local people. The ethnographic accompaniment of the design of the Territorial-Based Development Programs in Chocó allowed me to analyze how this territorial approach and the ethnic focus were conflated in practice. The PDET(E)s design in the sixteen regions selected across the country aimed at incorporating different local and territorial perspectives, organizing assemblies with the inhabitants of the most remote and smallest villages, and listening to their needs in relation to economic development, education, health, water and sanitation, communication, infrastructure, food security, and peacebuilding and reconciliation. Yet, the logic of the state ended up permeating these spaces through the coloniality of power/knowledge/being that marked logistics, times, spaces, and forms. Likewise, the design of the programs was full of obstacles, due both to the lack of political will to include ethnic perspectives and the lack of understanding of ethnic knowledges and practices.

Despite all these limitations and constraints, the inclusion of the Ethnic Chapter has brought about three elements that are worth considering in the future ahead. First, the fact that Colombia's ethnic communities managed to secure their cultural and territorial rights on paper will allow them to request the government and, when needed, the justice system the fulfillment of the commitments in the Peace Agreement, even though their claims may be overlooked. Second, the ethnic-territorial organizations have placed some of their members in high level institutions created by the Peace Agreement, such as black and indigenous commissioners in the Truth Commission, magistrates of the transitional justice system and an ethnic *procurador*. Their presence in these spaces is helping ethnic communities to pressure some institutions of the State to include an ethnic focus in the implementation, although with many limitations as already seen. Third, the historical coalition between black and indigenous peoples has taught these organizations that together they are stronger to defend their rights and resist the hegemonic peace approach of the government. How they manage to articulate their efforts in the near future will have an impact on their capacity to resist the ambivalence towards peace of Duque's government. In this vein, on 21-22 May 2019 various black and indigenous organizations of the Pacific region launched in Quibdó the *Comisión Inter-Etnica de la Verdad del Pacífico* (Pacific's Inter-Ethnic Truth Commission), as a complementary body of the Truth Commission created by the Peace Agreement. Their goal is to document and convey to the Truth Commission their own information about the impacts of the conflict in their territories. A research line that could be explored in the next years is what truth represents for the different ethnic peoples and territorial organizations.

In addition, the ethnic approach to peace that these collective peoples were able to mobilize in the public space has contributed to expanding the notion of peace in Colombia. For ethnic peoples, peace implies achieving harmony among the different living species in a territory, including nature, animals, different peoples, and oneself; it implies being able to enjoy and protect the territory, without the need to put it to work at full capacity; and it implies overcoming the coloniality of power/knowledge/being that continues to relegate their worldviews, identities, practices, knowledges, and feelings to a lower status. Taking this into account, it is remarkable that the Constitutional Court of Colombia has declared in 2016 that the Atrato River of Chocó has been victim of the illegal mining that the economic model of the country is fostering, and that it should be repaired and protected (Sentence T-622). The Court, however, fell short of establishing a clear link between the armed conflict and the

damages caused to the River by the illegal activities of the armed groups operating in the area, many times in connivance with state authorities. The same Court had previously declared that many ethnic peoples and their cultures were at risk of extinction due to the armed conflict and established mechanisms to reverse that trend and protect them (2004, 2009). In addition, the 2011 Decree for indigenous victims of the conflict acknowledges the indigenous' view of the territory and nature as subjects of rights, as living beings whose life should also be protected. With the Ethnic Chapter in force, we could think that the transitional justice mechanisms developed in the Peace Agreement may also allow to explore the linkages between the armed conflict and the damages to the environment and the ethnic territories, and take into account the idea of harmony between human beings and nature as part of the reparations for the conflict.

Finally, the continuation of war in many territories of the country has been the main obstacle for the implementation of the Peace Agreement in general and the Ethnic Chapter in particular (Ríos Sierra, 2020; Garzón & Silva, 2019). The fact that the Peace Agreement was only with the FARC and that the government of Duque cancelled the negotiations with the ELN, after this guerrilla group attacked a police station in Bogotá in January 2019, has complicated the situation in the rural areas. The ELN and other criminal/paramilitary groups took advantage of the empty areas left by the FARC to take control of the territories and expand their illicit businesses. The lack of capacity and willingness of the State to fill those voids left the communities once again at the expense of armed groups. As mentioned in Chapter 5, of particular interest is the ongoing local initiative launched in Quibdó in 2018 called *Acuerdo Humanitario Ya para el Chocó* (Humanitarian Agreement Now for Chocó). The FISCH, the *Mesa Indígena*, various women's and victims' organizations signed this agreement in order to request the government and the armed groups to respect civilians and provide humanitarian assistance. They are also requesting the government to sit and negotiate a political solution with the ELN. As part of this initiative, the territorial organizations managed to participate in the preliminary audiences of the negotiations with the ELN in Quito and La Habana in 2018, and have managed to mobilize the international community to support this initiative. As a result, the United Nations Office for Humanitarian Affairs and the MAPP-OAS have been accompanying their efforts to deploy humanitarian task forces in the five sub-regions of Chocó in order to monitor the conflict-related humanitarian issues. All these efforts are, no doubt, drawing from their previous experience

during the peace negotiations with the FARC (see forthcoming Rodriguez Iglesias, Rosen & Masullo, 2020).

In particular, the role the international community is playing by supporting ethnic initiatives of peace and the implementation of the Ethnic Chapter has been crucial to keep the momentum of the ethnic focus. However, it is uncertain if the external aid will continue at the same level, taking into account that other humanitarian issues in the region have arisen such as the migration flow from Venezuela and the COVID pandemia, and also that the priorities of the government have changed. It is also uncertain how the replacements of leaderships within ethnic organizations may impact the current black-indigenous coalitions, particularly the IEANPE, as well as the black platform CONPA. In this vein, it would be worth exploring, in the future, the role particular leaders have played in this process, from an individual point of view, their impact on the collective process and their capacity to mobilize their people.

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ANNEXES

I. Ethnic Chapter²¹⁰

6.2. Chapter on Ethnic Perspectives

6.2.1. Considerations

That the National Government and the FARC-EP recognise that the ethnic peoples have contributed to the building of a sustainable and lasting peace, to progress, to the economic and social development of the country, and that they have suffered historical conditions of injustice, resulting from colonialism, slavery and exclusion and from having been dispossessed of their land, territories and resources; that they have also been seriously affected by the internal armed conflict and the maximum guarantees need to be fomented for the full exercise of their human and collective rights in the framework of their own aspirations, interests and world views. Whereas the ethnic peoples need to have control of the events that affect them and their land, territories and resources, maintaining their own institutions, cultures and traditions, it is fundamental to incorporate the ethnic and cultural perspective in interpreting and implementing the *Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace* in Colombia.

6.2.2. Principles

In interpreting and implementing all the components of the *Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace in Colombia* with an ethnic-based approach, account is taken of the principles enshrined in legislation at the international and constitutional levels, case law and legal regulations, especially the principle of non-regression, recognised in the International Covenant on Economic, Social and Cultural Rights, as well as the principles and rights recognised in the Convention on the Elimination of All Forms of Discrimination Against Women – CEDAW (ratified by Colombia on 19 January 1982), International Convention on the Elimination of All Forms of Racial Discrimination - CERD, Durban Declaration and Programme of Action, the United Nations Declaration on the Rights of Indigenous Peoples, and ILO Convention 169 concerning the Rights of Indigenous and Tribal Peoples.

²¹⁰ Retrieved from the English version of the Final Peace Agreement, 2016: 217-221.

In interpreting and implementing the *Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace* in Colombia, with an ethnic-based approach, account will be taken, among others, of the following principles: free determination, autonomy and self-government, participation, consultation and prior free and informed consent; social, economic and cultural identity and integrity, rights over land, territories and resources, which involve the recognition of their ancestral territorial practices, the right to restitution and strengthening of territoriality, the current mechanisms for legal protection and security of the land and territories occupied or owned ancestrally and/or traditionally.

6.2.3. Safeguards and guarantees

Substantial safeguards for the interpretation and implementation of the Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace in Colombia.

The principal and non-subsidary nature of free and informed prior consultation and the right to cultural objection as a guarantee of non-recurrence will be respected, whenever appropriate. Consequently, the phase of implementation of the agreements, as far as ethnic peoples are concerned, should be carried out in guaranteeing the right to prior free and informed consultation respecting constitutional and international standards.

A cross-cutting approach will be incorporated, encompassing ethnicity, gender, women, family and generation.

In no case will the implementation of the agreements be detrimental to the rights of ethnic peoples.

a. In relation to Comprehensive Rural Reform

The implementation of the CRR Chapter will guarantee the application of an ethnic and cultural perspective, the current legal conditions of collective ownership, and the mechanisms for the legal protection and security of land and territories occupied or owned ancestrally and/or traditionally. The holistic nature of territoriality and its cultural and spiritual dimensions, and the heightened protection for peoples at risk of extinction and their safeguard plans, will also be observed.

Access to land including the Land Fund. Ethnic peoples will be included as beneficiaries of the different measures agreed for access to land without impairment of the rights already acquired. The allocation of plots of land and land titling procedures will be performed with

a view to the constitution, creation, expansion, entitlement, demarcation, restitution and resolution of disputes over land use and tenure. It shall be understood for the case of ethnic peoples that the ecological function of property and their own ancestral forms of relationship with the territory take precedence over the notion of non-exploitation. The ethnic peoples and communities will participate with their representative organisations in creating mechanisms to resolve disputes about land tenure and use, and about strengthening of food production, when the disputes concerned compromise their rights.

- Development Programmes with a Territorial-Based Focus (DPTFs), which are planned for implementation in the territories of indigenous and Afro-Colombian communities, must include a special mechanism of consultation for implementation, in order to incorporate the ethnic and cultural perspective in the territorial-based approach, aimed implementing the life plans, ethno-development, plans for environmental management and land-use planning or the equivalents of the ethnic peoples.

b. In relation to participation

The full and effective participation of representatives of the ethnic authorities and their representative organisations will be guaranteed in the different forums created in the framework of the implementation of the Final Agreement, in particular those enshrined in Chapter 2 and the participatory planning forums.

Measures will be taken to guarantee the inclusion of candidates from the ethnic peoples in the lists of the Special Transitory Electoral Districts for Peace (Circunscripciones Transitorias Especiales de Paz, CTEP), when their electoral district coincides with their territories.

c. In relation to Security Guarantees of section 3.4.

The ethnic and cultural perspective will be incorporated in the design and implementation of the Security and Protection Programme for the communities and organisations across the country's territories. The strengthening of ethnic peoples' own security systems, recognised at national and international level, such as the Indigenous Guard (Guardia Indígena) and the Cimarrona Guard (Guardia Cimarrona), will be guaranteed.

d. In relation to solution of the illicit drugs problem

- The effective participation and consultation of the communities and representative organisations of the ethnic peoples will be guaranteed in the design of the NCPS, including the plans for immediate attention in respect of the territories of the ethnic peoples. In any case, the NCPS will respect and protect the cultural use and consumption of traditional plants classed as used for illicit purposes. In no event will policies on the use of territory and the natural resources present in it be imposed unilaterally.
 - In the prioritisation of territories, the realities of the territories of the ethnic peoples will be addressed, and account will be taken of the territories of ethnic peoples at risk of physical and cultural extermination or at risk of extinction that are affected by crops used for illicit purposes, or the territories of ethnic peoples in a situation of confinement or displacement.
 - The Programme of De-mining and Clearance of the areas of the national territory will be developed in dialogue with the ethnic peoples and their representative organisations. Priority will be given to the cases of the Embera people located in the municipality of Puerto Libertador in Córdoba and Ituango in Antioquia, those of the Jiw people located in the municipality of San José del Guaviare in Guaviare, the Nukak people in the department of Guaviare, in the municipalities of Mapiripán and Puerto Concordia in Meta, as well as in the municipality of Tumaco Río Chagüí, and the Awá people in the department of Nariño. Also the cases of the Community Councils of Alto Mira y Frontera and Rio Chagüí and the municipality of Buenos Aires, Vereda La Alsacia in the department of Cauca.
 - As a gesture of goodwill for peace, reparation and humanity, the National Government, the FARC-EP and the representative organisations of the ethnic peoples undertake to develop a programme of settlement, return, restoration and restitution of the territories of the Nukak people, the Embera Katío people of the Cañaveral Reserve in Alto San Jorge, as well as the territory of the Community Council of Alto Mira and Frontera, and Curvaradó and Jiguamiandó.
- e. In relation to victims of the conflict: “Comprehensive System for Truth, Justice, Reparations and Non-Recurrence”**
- The design and execution of the Comprehensive System for Truth, Justice, Reparations and Non-Recurrence will respect the exercise of the jurisdictional

functions of the traditional authorities within their territorial area in accordance with the current national and international standards.

- The ethnic and cultural perspective will be incorporated in the design of the different judicial and non-judicial mechanisms agreed in respect of the ethnic peoples. The right to participation and consultation in the definition of these mechanisms will be respected and guaranteed, when appropriate.
- In the framework of the implementation of the Special Jurisdiction for Peace, mechanisms will be created for liaison and coordination with the Special Indigenous Jurisdiction according to the mandate of Article 246 of the Constitution and, when appropriate, with the AfroColombian ancestral authorities.
- A special harmonisation programme will be drawn up in collaboration with the representative organisations of the ethnic peoples, for the reincorporation of demobilised individuals belonging to such peoples, who opt to return to their communities, in order to guarantee the restoration of territorial harmony. An educational and communication strategy will be agreed for the dissemination of the principles of non-racial and ethnic discrimination against women, youngsters and girls demobilised from the conflict.

f. In relation to Implementation and Verification

- A special high-level forum (Instancia Especial) will be created with Ethnic Peoples for the follow-up of the implementation of the agreements, which will be agreed between the National Government, the FARC-EP and the representative organisations of the Ethnic Peoples. The functions of this agency will include acting as a primary consultative, representative and liaison body of the Commission for Monitoring, Promoting and Verifying the Implementation of the Final Agreement (CMPVI).
- This is without prejudice to the functions and duties of already existing government and participatory agencies.
- The sources of funding for the implementation of the agreements will not involve those agreements on budgetary matters that have already been made between the National Government and the Indigenous and Afro-Colombian Peoples, set out

in the current National Development Plan and other policies consulted and agreed.

II. Chronology of the Ethnic Chapter

Date	Event or Activity
14.12.2012	ONIC launches the “Ethnic and Popular Proposal for Peace” and claim for their inclusion in the negotiation.
28.04.2013	Presentation of an inter-ethnic proposal in the Forum of Political Participation in the framework of the Peace Dialogues.
16.05.2013	ONIC launches the “Ethnic and Popular Proposal for Peace” and claim for their inclusion in the negotiation.
19-23.10.2013	ONIC, CRIC, and ACIN publish the letter “Letter of the Indigenous Peoples of Colombia to the FARC-EP” to invite the leadership of the guerrilla to dialogue about the violence in Cauca against the indigenous peoples.
23.10.2013	“Indigenous and Social Popular Minga”
2014	Establishment of CONPA
02.2015	Marino Córdoba meets with President Santos when the latter visits President Obama in Washington, D.C.
05.2015	Regional workshops of CONPA in Cali and Cartagena US Tour of CONPA CONPA meets with the Ministry of Interior and the director of the National Unity for Protection, and with Colombian Senator Armando Benedetti.
08.2015	CONPA organizes a workshop in Bogotá to invite other organizations to join
10.2015	Tour of the black congressman Hank Johnson in Colombia to report the human rights conditions of Afro-communities and workers.
05.10.2015	“Proceso de Paz y los Afro-Colombianos”, public forum organized by CONPA to discuss the situation of black communities in Colombia and to demand the participation of the Afro-Colombian community in peace negotiations.
11.2015	CONPA meets with the Head of the Government Delegation, Humberto de la Calle.
12.2015	Afro and indigenous meet with the UN High Commissioner for Human Rights.
01.2016	CONPA and indigenous organizations present “Afro and Indigenous Peace Agenda” to Humberto de la Calle.
08.03.2016	Establishment of the Ethnic Commission for Peace and Territorial Rights.
26-27.06.2016	Audience of the Negotiating Table with the Ethnic groups in La Habana. Agreement to work on a document to be included in the Agreement.
06-07.2016	The FARC’s Peace Delegation receives the Ethnic Commission in Havana.
14.07.2016	The Colombian Government’s Peace Delegation receives the Ethnic Commission in the Presidential Palace in Bogotá.
11.08.2016	The Ethnic Commission delivers their proposal of Ethnic Chapter to the Peace Table.
24.08.2016	The ethnic groups travelled to La Habana to define the Ethnic Chapter in two hours before the Final Peace Agreement is signed by the government and the FARC.
26.08.2016	The Final Peace Agreement is symbolically signed in Cartagena, Colombia.
02.10.2016	Referendum on the Peace Agreement and rejection by a small margin.
24.11.2016	The Congress of Colombia approves the reviewed version of the Peace Agreement and the implementation is set to start.

III. Alabao a la SENTENCIA T-622 de 10 de noviembre de 2016

A mi gente atrateña
Aquí les vengo a contar
Que la suerte del Atrato
Se ha cambiado de verdad

La sentencia es novedosa
Y nos reta en verdad
Para que lo que ordena
Se pueda implementar

Habla de diversidad
Étnica y cultural
Y no podía faltar
Una que's la natural

El Atrato es caudaloso
Y tercero al navegar
Tiene reconocimiento
De manera universal

La cuenca del río Atrato
Territorio es de verdad
Pa' reproducir la vida
Y riqueza natural

Por ahí dice la corte
Pa' entenderlo uno ahí mismo
Que en Chocó hay institución
Solo para extractivismo

La tutela se interpone
Por el uso intensivo
De la extracción minera
Y también la forestal

El mercurio contamina
Humedales y afluentes
Afectando hasta la vida
Y también el medio ambiente

El mercurio y el cianuro
Representan un alud
Amenazando la vida
Las costumbres, la salud

Derechos fundamentales
Y equilibrio natural
Afectando el territorio

Etnias-biodiversidad

Ahora les vengo a contar
De manera elemental
Que' sta sentencia tutela
Derecho fundamental

A la vida, al territorio
La salud y el agua pura
A un ambiente que sea sano
Y también a la cultura

Esta tutela contiene
Enfoque biocultural
Vincula modos de vida
Con recurso natural

Significa la tutela
De las tierras y recursos
Acorde con las costumbres
Y también los propios usos

Pueblos afros a su modo
Perviven en territorio
Conservando administrando
Los recursos del entorno

Son sujetos colectivos
De derechos esenciales
Tutelados por la corte
En aspectos esenciales

La tutela en todo caso
Tiene una prioridad
Para que los atrateños
Vivamos en dignidad

La corte aquí prioriza
Condiciones materiales
Alguna en lo cultural
Y otras son espirituales

Para que los atrateños
Vivamos en dignidad
Con la integridad moral
Física y espiritual

La corte también señala
Con altura y pundonor
Que'l medio ambiente sano

Es de interés superior

Un enfoque ecocéntrico
Presenta esta tutela
Que la tierra no es del hombre
Sino el hombre de la tierra

Dice esta teoría
Sobre la naturaleza
Que es sujeto de derecho
Y lo dice con firmeza
Desafío es protegerla
Como una entidad viviente
Porque si ella es sostenible
Esto le sirve a la gente

Proteger la naturaleza
Salvaguarda pa' la vida
Protección de las culturas
Y toda forma de vida

Conexión entre recursos
Cultura y naturaleza
Estimulan a los pueblos
A luchar y con firmeza

Interdependencia que
Se protege con firmeza
Territorio significa
Un medio de subsistencia

El Atrato es el hábitat
Identidad cultural
De los pueblos que lo habitan
Con amor y hermandad

Los derechos del Atrato
Protección, conservación
Siguen el mantenimiento
Y también restauración

Y pa' que en el Atrato
No se cometan desmanes
Se ordena constituir
La comisión de guardianes

Diseñar e implementar
Plan pa' descontaminar
La cuenca del río Atrato
Y poder recuperar

Un plan para erradicar
Minería ilegal
Incautando maquinaria
Restringiendo su accionar

Las formas de subsistencia
Podemos recuperar
Planes de etnodesarrollo
Debemos implementar

Estudios de agentes tóxicos
Vamos a realizar
Para medir el mercurio
Que nos puede asesinar

La corte también exhorta
Al gobierno nacional
Que cumpla efectivamente
El tema defensorial

A los órganos de control
La tutela les ordena
Hacerle buen seguimiento
A toda esta estancia

Atrato es, Atrato soy, Atrato somos y debemos seguir siendo

Author: Sterlin Londoño Palacios, Father of Yuto, Chocó.

