**MEETING REPORT**

**Early Warning Advocacy Meeting**

**Conflict Prevention and Resolution in Latin America:
Risks and Opportunities**

**29-30 March, 2016 – Bogotá, Colombia**

**Background**

In the last two decades, Latin American and Caribbean countries have made significant progress towards stable democratic governance, improving their capacity to face traditional forms of conflict -- such as international and internal armed conflict -- and military regimes. The strength of civil society networks and organisations has been a key element in this process, as it provided energy during key political transitions.

Those achievements are under threat today as new risks challenge the enjoyment of economic and social rights, weaken the rule of law, and question democratic governance. The region has become one of those most affected by violent crime, as transnational criminal organisations thrive, aided by the deficiencies of rule-of-law institutions. Popular support for democratic institutions has dwindled, and citizens demonstrate massively against corruption and governmental opacity. In the background, inequities in access to power or resources exclude millions from the benefits of the rule of law and democracy.

With important events on the horizon—such as a probable peace agreement in Colombia, and new political scenarios in Argentina and Venezuela— Crisis Group and the European Peacebuilding Liaison office (EPLO) organised a meeting in Bogotá that brought together 35 experts from civil society organisations across the region. The meeting was the second organised within the framework of the *Strengthening Early Warning, Mobilizing Early Action* project, co-funded by the European Union (EU).

The core objectives of the meeting were to:
- Identify key challenges and foster opportunities to establish regional civil society networks in Latin America and the Caribbean.
- Raise awareness about the risk of violent conflicts in the region, in particular those derived from political instability, transnational organised crime, and social and economic exclusion.
- Identify opportunities for peace in the region, in particular innovative methodologies and best practices to prevent violent conflict led by civil society and regional intergovernmental organisations.

- Analyze the role of regional and international actors in the support of early warning systems and democratic governance in the region.
- Make practical recommendations to counter threats against democracy and human rights, contributing to peace and security and strengthening civil society.

The report[1], written by meeting rapporteur Eduardo González, summarizes the central debates and recommendations made by the participants, without attribution to any particular individual or institution.

**Summary of main recommendations to external actors**

1. ***Challenge complacent views of the region***. An interest in early warning is impossible if a complacent notion of Latin America and the Caribbean as a "region of peace" persists. The region's risks should not be minimized. The chronic weakness of the state; the persistent conflicts around rent-focused, extractive economies; the challenge presented by new criminal networks to the authority and legitimacy of the state; and the fall of millions back into poverty during the current post-commodity boom period, are serious problems with potentially dramatic consequences.

2. ***Develop a comprehensive and integrated view of risks.*** The region does not have a series of discrete, co-terminous risks to democratic governance: they have common structural and historical roots, ingrained in development models that give insufficient attention to equity and poverty reduction, elite behaviour and organisation of the national territories. High-level corruption, weak governance at the local level, organised crime, environmental conflict and - too often - repression form vicious circles of enduring mistrust and potential violence.

3. ***Understand security responses as political.*** Security responses cannot be technical, but political. Restoring a modicum of security in disputed local communities is essential, but not in order to rebuild a deficient status quo, in which political actors are uninterested in and often unwilling to secure citizen rights. Security is sustainable if, in each local scenario, the government sides with democratic forces, reforming institutions and regaining the allegiance of the citizenry. An integral vision of security is impossible without national governments that are regarded as effective, representative and honest.

4. ***Support civil society and the public sphere***. Civil society is essential to build democratic governance and to respond to governmental insufficiencies, particularly by fostering dialogue and managing emerging conflicts. However, civil society necessitates certain preconditions to thrive**:** it must be protected from persecution, it should enjoy access to media, it should be organised in a sustainable manner and—critically—it should be able to achieve concrete successes, as mere crisis

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[1] The meeting was conducted under the Chatham House rule, under which opinion can be used and disseminated, without specific attribution. Recommendations do not necessarily reflect the position of the International Crisis Group, EPLO or its member organisations, the European External Action Service or the European Commission.

management demoralizes the grassroots and opens the way to frustration and violence.

5. ***Encourage the role of regional civil society and independent agencies.*** Multilateral institutions in the region are less assertive, as governments retract to address national tensions, and reject what they see as foreign interference. However, multilateralism is as needed as ever. The role of regional civil society is fundamental to dynamise regional institutions. The Inter American System of Human Rights needs to be protected and strengthened.

## New conflicts endanger the region

Latin America and the Caribbean are perceived as regions of peace and economic growth, a view based on the absence of active international conflicts, a political consensus against military interruptions of civilian rule, and the progressive resolution of internal armed conflicts.

This perception is overly optimistic and risks dangerous complacency. In spite of progress in democratic governance, states in the region are still unable to fulfil basic government functions in their territories, and dangerous power voids are filled by organised crime and private interests. Border areas are notoriously permeable and difficult to oversee, presenting opportunities for transnational organised crime including smuggling of persons and illegal goods. At the local level, and even in large urban concentrations, the elite privatizes protection while unavailable or inefficient of rule-of-law institutions allow the emergence of illegal and violent networks which offer to the general population a twisted version of governance.

Natural wealth, heavily invested in extractive economic models is, in some countries, at the root of endemic conflict. One form is distributive conflict, as the political arena is polarized around the use of rent generated in the primary sector. Another is environmental conflict, as extractive activities tend to use risky techniques which endanger the livelihood of communities, including indigenous groups. An additional source of conflict is the emergence of localized organised crime, which expands its interests to illegal logging, informal mining, and other extractive activities.

A healthy political system would manage the conflicts inherent in the economic and social structures of the region's countries. This is not the case: the political arena is trapped in zero-sum calculations, which risk paralyzing governments and sowing mistrust among citizens. Faced with an inability to forge policy on serious challenges, civilian elites have often abdicated their responsibilities. So, for example, in Mexico, the introduction of the military to deal with the security crisis, without adequate civilian oversight or training, worsened the situation of violence through indiscriminate operations and the brutal response of organised crime.

These dynamics result in the perception that the state is predatory and partners with external economic actors to endanger the territories and lives of local communities. Civil society responds but, in a situation in which political avenues for conflict resolution are limited, it is stifled or—even worse—violently repressed.

**The local, territorial dimension as a key scenario**

The scenario in which democracy and rule of law will prove its sustainability—or fail—is the local territory. The notion of "*territorio*", used in several countries, refers not to a geographic subdivision of the state following administrative boundaries, but to a set of power relations and relations with the environment, usually at the outer limits of the formal reach of the state.

Territories can include areas where an indigenous community has a legally recognized claim for access, natural corridors for people and goods, or local communities within urban regions. Their shape and administrative identity may be quite varied but, essentially, they are scenarios where local powers decide economic and social life, often in a tenuous or inexistent relationship with the central state, particularly in highly fragmented countries.

For organised criminal networks, control of territories is essential: they seek to provide coverage for illegal economic activities, but also to generate stable forms of domination of the local population. In Colombia, for example, providing efficient democratic governance to territories formerly controlled by the guerrillas is critical to make the peace process sustainable. Otherwise, the territories will simply be occupied by alternative local powers, integrated into illegal economies and breeding new challenges to the state.

The weakness of the central state and the local irrelevance of national political machines in several territories have resulted in a dangerous phenomenon: organised crime is generating its own social base, its own claims to legitimacy and its own instruments to secure the populations' allegiance.

There are opportunities for democratic governments to take territories back from organised crime and other local powers. Colombia's government has made clear that the peace process with the FARC will be focused on territories (*paz territorial*), addressing the question of land use, local development, and democratic local governance. In Peru, civil society insists that the ongoing tensions about mining should be opportunities to conduct consultation and foster participatory debate about territorial economic prioritization (*ordenamiento territorial*). Otherwise, if local tensions are left to fester or, worse, responded to with short-term repressive measures, peace and democracy will be endangered, as the government will have abdicated its responsibilities in favour of security forces, corporations, local criminal networks or an unstable combination of them.

**The challenge of new legitimacies: Organised crime**

Organised crime in the region encompasses a multiplicity of illegal economic activities and complex apparatuses. Some criminal enterprises have evolved from the classic vertical, hierarchical structures of cartels of the past, to flexible networks organised around nodes of decision and power, diverse in their economic strategies and forms of control of the population.

These new criminal networks, as flexible as they are, can be very territorialized: they need to control local populations in key urban areas, transit corridors, production areas, and border regions. When confronted with a robust state response, they are able to respond to repression by escalating the human cost, which is more detrimental to the state than it is for them. Their resilience to governmental intervention is augmented by the fact that the tactics of the security forces tend to be heavy on visibility—disrupting low-level operatives—but light on intelligence-led action against power nodes.

A critical consequence of a criminal model seeking territorial control is that it pursues stability in its domination of the local population. In order to do so, it starts to provide rudimentary, violent, but often effective forms of governance, managing local conflicts and gaining some degree of legitimacy. So, for example, Guatemalan or Salvadoran civil society organisations are forced to negotiate with *maras*, *pandillas*, or other groups. Eventually, criminal networks mimic, with more or less sophistication, what a local government looks like, including, disturbingly, a certain level of normative development.

National elites can also be forced to negotiate with organised crime. National corporations, powerful political families and state structures establish relations with more or less formality with criminal networks. Corruption consequently becomes very complex and entrenched in a set of relations beyond "normal" kickback schemes, exceeding the capacity of national judicial institutions to investigate and prosecute.

Responding to such complex forms of criminality requires not only traditional intelligence to disrupt criminal networks, but an affirmation of democratic legitimacy. The Guatemalan CICIG (*Comisión Internacional Contra la Impunidad en Guatemala*) did not just conduct investigations and strengthen national prosecutorial will and capabilities, it provided the citizenry with an opportunity to raise a democratic platform and rally around it. It is an open question whether similar formulas, such as the Honduran MACCIH (*Misión de Apoyo contra la Corrupción y la Impunidad en Honduras)* will be able to combine those same elements: investigative effectiveness, prosecutorial determination and democratic spark.


**Civil society: resourceful, sophisticated, exhausted**

Throughout the last few decades, Latin American civil society provided energy to political transitions, fostered democratic agendas, and—very often—provided political parties and state structures with new, resourceful leadership. If transitions to democracy were successfully navigated in several countries, this was not only due to the capacity of national

elites to achieve agreements and respect them, but also to societal initiative and pressure in both national and international arenas.

In the context of new risks to democratic governance in the region and weak political institutions, civil society should be an obvious and critical partner. However, civil society, in spite of its strength, faces a crisis of its own. International funding sources have dried up: some donors have shifted their focus to other regions, and no comparable local funders have emerged. The challenge is not just organisational. The main problem is that civil society is expected to cover for the deficit of democratic governance, supporting processes of dialogue and consultation. But poor results have contributed to demoralization.

Across the region, several countries have the legal instruments to conduct consultation for development projects, for example, however they do not use them to negotiate and pursue compromise solutions, but as mere outreach. Civil society organisations and local communities are expected to receive information and give assent; their disagreement is not heard unless it becomes violent. In Peru, for example, the national Ombudsman (*Defensoría del Pueblo*) calculates that 50% of roundtable dialogues it assessed were established only after violent confrontation. This is hardly conducive to an environment of dialogue and compromise. Worse still, in several cases, dialogue between the government and a mobilized population is carried out by agents without real capacity to reach substantive agreements, and the problems are merely postponed.

Civil society activists also complain of "participation fatigue": opening lines for dialogue, crafting proposals, gaining local trust, is intense work, but the results are frequently disappointing. Sometimes, civil society leaders find out that they have to repeat the same demands before several different agencies, manage successive mediators and facilitators, all while containing grassroots frustration, and repeating the Sysiphean cycle of dialogue and conflict.

 Opportunities, however, persist. After all, Latin American civil society was able to create strong networks in previous situations, facing severe challenges to democratization. A few elements seem critical for a new wave of regional networking: a fundamental demand to stop the criminalization of protest and aggressions against human rights defenders; alliances beyond Latin America to share regional knowledge on managing conflict; moving beyond the "NGO-isation" (*oenegización*) of social movements by using new forms of organisation made possible by new technologies; creating pools of experts capable of pushing the regional multilateral institutions on targeted policies.


**Weakening of multilateral institutions**

After 2012, with the end of a decade of rapid growth, and the emergence of national tensions around individual country's economic models, governments retracted into themselves. This weakened the region's new multilateral institutions, such as CELAC (Community of Latin American and Caribbean States) and UNASUR (*Unión de Naciones Suramericanas*), without reactivating the older OAS (Organization of American States).

Governments prefer to avoid confrontation in the international arena, and crises are left to fester. This includes not just the new and difficult phenomena of organised transnational crime, but traditional diplomatic issues, such as border management and delimitation, as we have seen in recent tensions involving Peru and Chile, Venezuela and Nicaragua, or the Central American borders.

A political "right turn" is under way in the region. This is not necessarily due to deep ideological shifts in the population, but more likely reflects a pragmatic electoral choice in an economic downturn. However, it raises a worrying question: beyond the difficulties of political alternation, how will new conservative governments manage policies of economic adjustment? In Venezuela, for example, after years of economic mismanagement that has caused profound suffering among the poor, the policies of economic adjustment may add to the pain through the cancellation of social programs and a severe increase in the cost of life. Any political transition in that country will fail if economic policies do not protect the most vulnerable sectors of the population.

In this new political scenario, the work of independent bodies, like the Inter American Commission and Court on Human Rights, would be necessary to deter abuses. Regrettably, the Inter American system has been under sustained assault by governments across the political spectrum; some countries, including Venezuela, have severed their links to it.

Another key element is relations with the United States. Over the last decade, the region asserted its maturity. A measure of independence was seen in the region's pressure on the dominant hemispheric power to normalize relations with Cuba as the price for its participation in the Summit of the Americas. The ALBA (*Alianza Bolivariana para los Pueblos de Nuestra América)* governments viewed U.S. initiatives with deep mistrust, but so did many civil society sectors in other countries, even as trade, political and some sectoral assistance relations remained unaffected, particularly in Mexico and Central America. This year's uncertain electoral process in the United States has raised regional anxiety to an even higher level.

In such a challenging context, there have been a few points of light for multilateral cooperation: Colombia's peace process shows the value of international facilitation and accompaniment, and may catapult Colombia to a more assertive regional role. A conscious effort by the Obama administration to put the Cold War regional legacies behind i may help to rebuild mutual confidence between the U.S. and the region. Civil society organisations have transitioned from a traditional focus on the defence of civil and political rights to a wider spectrum of action, and have achieved a significant level of sophistication to articulate policy and monitor governmental action.