



COLUMBIA | SIPA

Kent Global Leadership Program on Conflict Resolution

# EXECUTIVE SEMINAR ON CONFLICT RESOLUTION

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The Kent Executive Seminar on Conflict Resolution is the first edition of an annual event under the umbrella of the Kent Global Leadership Program on Conflict and Conflict Resolution, a new SIPA initiative designed to bring together leaders of governments, international organizations, business and civil society, and explore with practitioners innovative ways of addressing conflict resolution.

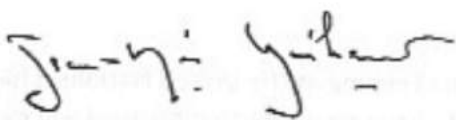
Conflict is changing, and so must conflict resolution. States and international organizations are no longer always the main actors of conflict and conflict resolution. They share that space with a wide variety of players, benevolent as well as malevolent: private businesses, nongovernmental organizations, criminal non state actors, proxies of various types. The clear separation between war and peace is blurred as new battlefields, territorial and functional (urban warfare, cyberattacks, disinformation campaigns) emerge, and low-intensity violence as well as targeted killings become acceptable in otherwise peaceful societies. The drivers of conflict are also evolving: national political agendas compete with radical transnational agendas; the capture of wealth rather than political power drives criminal groups who have no interest in peace and prosper in the grey area of neither full war nor full peace. Meanwhile, increased stress on natural resources - in particular land and water - exacerbates pre-existing traditional conflicts.

The ambition of the webinar is to address the multiple dimensions of 21st century intra- and interstate conflict, weaving them together in a comprehensive vision, and to build bridges between communities that don't always know how to interact with each other, in particular government and business, although that interaction is critical for successful conflict resolution and for the consolidation of prosperous and peaceful societies.

The seminar will open with discussions on two key themes: the changing geopolitical landscape, and the dynamics of government/business/civil society interaction. That "golden triangle" doesn't happen by itself, and the webinar will provide an opportunity to develop a strategic vision of a constructive relationship. It will then focus on the specific responsibilities of business, from a macro level, comparing the experience of two very different continents with two former heads of regional development banks, and from a micro level, examining from the ground up initiatives to harness the power of business for building peace. The next two days will delve deeper in those issues with two case studies: Colombia and the Democratic Republic of Congo. A conversation with personalities from very different backgrounds, who have all contributed - in very different ways - to building peace, will conclude the seminar and serve as an inspiration for the next generation of peacemakers.

I would like to thank Muhtar Kent for his active and personal support, as well as the Peacebuilding Support Office and the Peacebuilding Commission of the United Nations for their help.

Jean-Marie Guéhenno



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## 1. THE CHANGING NATURE OF CONFLICT



The opening session of the Executive Seminar examined the complex interplay between great power interests, international institutions, forces of globalization, and idiosyncratic political leadership in shaping the composition of the “international community” and its individual and collective approaches to addressing political conflict. All panelists shared the

stable balance—or imbalance—of power globally confirms this observation.

Within this common observation, panelists saw limits and opportunities for multilateral institutions, both regional and global. As the members of all the main international institutions are states, these states can either have a limited and confused role in addressing low-level conflicts among

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view that global politics has reached an inflection point in which global power dynamics and the diffusion of power between state and non-state entities makes it impossible to frame international politics only through the lens of unipolarity, bipolarity, or multipolarity. The lack of a

non-state actors, or use (or refrain from using) institutional entities as they see fit to advance their interests when they are protagonists in a conflict. It follows, then, that institutions become rather ineffectual when viewed in a vacuum. However, as shown by the example of the International Tribunal on the Law of the Sea’s arbitrating

the Bay of Bengal maritime boundary dispute between Bangladesh and India, domestic pressures and other factors may incentivize states to turn to international institutions, in which case they can serve a useful and substantive role in resolving conflict. While one panelist observed that the international liberal order was neither “liberal” nor

preferences of powerful states are integrated and complement each other in a coherent strategy. Taken together, these contributions suggest that the rise of China, India, and other states, combined with a perceived retrenchment in the United States’ international posture, will likely bring about a new and uncertain period of international

**“Knowledge and understanding, although insufficient, were seen by some as a more achievable goal in international relations than trust between leaders.”**

“orderly” for much of the world, others argued that it did provide a framework for ordering activity in the private sector and among states that has brought about positive outcomes, including the rise of China. Additionally, it was argued that powerful states and regional entities should adopt a more coordinated approach in which the relative strengths and interventionist

politics and of international institutions.

Indeed, throughout the conversation, panelists returned to the implications of the rise of China for the international order, great powers, and other states impacted by this shift. While all panelists viewed the rise of China as engendering a transformational shift in international relations, the lenses through



which these shifts were understood differed. One panelist viewed a China that has historically prioritized domestic politics becoming increasingly interested in international interventions and asserting its geopolitical weight, albeit still within the

Another panelist viewed the rise of China as entrenching the global geopolitical faultline along the Indochina Pacific and East Pacific, which is also the region most diplomats believe diplomacy can be most fruitful. Still others highlighted the opportunities for China

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limited scope of using interventions to solidify domestic stability and guard against hostile interference in China’s domestic politics. The Belt and Road Initiative, a policy of non-interference in the domestic politics of other countries, and China’s limited media coverage of international conflict are all evidenced by this view.

and the US to cooperate and bring prosperity to both their peoples through existing economic ties and cooperation within a relatively benign geopolitical environment. Several speakers reflected on the uncertainty brought about by the rapid changes of the twenty-first century—including cyber threats, artificial intelligence, instantaneous



Keren Yarhi-Milo

global communications, mass media, and global pandemics—that hinder analysts’ capacity to predict the impacts of China’s rise and future US-China relations. Panelists agreed that the rise of China marks not only the end of the United States’ unipolar moment, but also a new era of uncertainty in which China’s authoritarian state capitalism and the United States’ democratic free market capitalism produce a combined 40% of global GDP. The contrasts between these two countries was a frequent topic of discussion, with one panelist noting that democratic systems, while open and messy and therefore open to critiques of weakness, create a more stable platform. In contrast, authoritarian leaders may appear more assertive and decisive, but stand on a more brittle platform that may lack popular legitimacy.

Panelists also discussed the role of trust—or lack thereof—in international relations. The often-overlooked role of individual psychology and how perceptions and misperceptions among political leaders fundamentally shape political outcomes and strategies. For example, while US President Biden’s emphasis on personal relationships among leaders in conducting diplomacy, as well as historical examples of leaders from Chamberlain to Reagan asserting the primacy of trust and interpersonal relationships in their own diplomatic deals, highlight the importance of trust and credibility among leaders in international affairs, panelists remained skeptical of the broader role of trust between self-interested nations. In contrast, several panelists emphasized the critical role of knowledge and mutual understanding between nations and their leaders to avoid unnecessary conflict and constructively





manage differences when they arise, which may not equate with resolving conflict but could prevent or delay escalatory action. Furthermore, knowledge and understanding, although insufficient, were seen by some as a more achievable goal in international relations than trust between leaders. Finally, it was noted that questions of trust and credibility have specific and researched gendered and (less researched) racial dimensions, including the finding that women tend to have more nonviolent inclinations to resolving conflict, but attempt to make up for this perceived stereotype through more or equally as aggressive once in positions of political power.

Finally, panelists reflected on the changing nature of warfare and the impact of globalization on current conflict. As one panelist pointed out, most contemporary conflict stems from approximately 30 countries that have experienced a fundamental breakdown of trust between government and citizenry, and the potential for these conflicts to breed spillover effects that lead to regional conflagrations. Strikingly, another panelist observed that, in every politically significant conflict since World War II, the side with the better technology and perceived to be “stronger”

either failed to achieve its goals or lost, which accentuates the argument that twentieth century notions of political and military power have become outdated. These observations also shed doubt on the technical approach to resolving conflict, suggesting that a more strategic lens is needed. This strategic lens must also account for the ways in which globalization has threatened peoples’ identities around the world, including for authoritarian regimes that rely on populism or nationalism rather than economic prosperity, as well as democratic regimes whose international foreign policy often focuses on issues that are key domestic problems, such as income inequality.

This panel raised as many questions as it addressed. Is the uni-/bi-/multi-polar framework applicable to this new era of global politics and international conflict? How will the rise of China impact great power politics, as well as regional politics in Asia and the so-called international liberal order? What role do states play in a world where dynamics of power diffusion and concentration are in flux and rapidly altered by technological advancements? These and other questions will surely stimulate future discussion.



## 2. THE "GOLDEN TRIANGLE" OF GOVERNMENT, BUSINESS, AND CIVIL SOCIETY



In this afternoon session, four speakers discussed the opportunities and challenges for interaction and collaboration between government, business, and civil society to bring about economic prosperity and good governance while preventing conflict and addressing drivers of current conflicts. The discussion opened with panelists providing their perspectives on the concept of the Golden Triangle, which symbolizes the value-added potential of government, business, and civil society working together. Another panelist remarked on the so-called “Triangle of Success” in countries such as Ghana, Zambia, and Kenya, in which the private sector, philanthropies, and government work together to address conflict. Panelists emphasized that the concept applies less as an algebraic formula than as a framework through which the value of partnerships between these three spheres can be visualized and centered. One way in which this synergy adds value is through the “multiplier effect,” which is the notion that

every job created in turn creates between 1 and 10 additional jobs in the supply chain, and that this effect is accentuated when women are employed, as women tend to invest more in education and in their communities. Indeed, one panelist noted that even a single multinational corporation can do more to alleviate poverty and promote development than the entire UN Development Program due to the scale at which the former can provide skills training, jobs, and foster economic growth.

Panelists further reflected on examples in which the synergy symbolized by the Golden Triangle was realized or fell short of its potential. For example, one multinational corporation successfully achieved its goal of supporting 5 million women entrepreneurs by the end of 2020, and noted that these entrepreneurs, who in turn invested in their communities and supported others’ livelihoods, became forces for peace and conflict prevention in their communities.



Relatedly, it was noted that investments in entrepreneurialism in developing countries can have several overlapping and complementary impacts that reduce conflict while promoting economic growth. For instance, these investments i) provide decent and well-paying jobs, ii) link producers to their entire value chains, iii) support women entrepreneurs and cultivate role models that exemplify pathways towards financial stability that do not involve corruption or other unethical practices, and iv) provide revenue streams for government that in turn creates accountability between citizens and their governments. In contrast, a weak formal economy with an entrepreneurial deficit does not provide substantial tax revenue to the government, and therefore leads to unaccountable institutions and politicians who do not feel accountable to citizens. One corollary of this observation is the importance of Public-Private Partnerships in fostering growth and government accountability mechanisms.

Another consequence of this model, in which each node is seen as complementary to the others, is that businesses become incentivized to incorporate the social and public good into their business strategy. One manifestation of this shift is a transformation within business models from a shareholder-value model to a stakeholder-value model, in which the goal of a business is to maximize value for customers, consumers, governments, employees, and all other

stakeholders of the enterprise, knowing that this approach *is* the optimal way to maximize value for their shareholders in the long term. In practice, this approach may mean more integration of business strategy with sub-national governance strategy, particularly given the outsized impact that mayors and governors have in today's global economy (the largest 25 cities of the world account for 43% of world GDP). Another approach is to focus on impact investing and regulation that holds companies accountable for the impacts of their entire supply chain, such as the French law enacted in 2017, The Corporate Duty of Vigilance Law. The OECD may even play a role in enacting similar regulations in the future.

Panelists similarly remarked on the potential benefits that civil society organizations (CSOs) bring to the Golden Triangle. Transnational African CSOs such as the African Center for the Constructive Resolution of Disputes (ACCORD), the West Africa Network for Peacebuilding (WANEP), the West Africa Civil Society Forum (WACSO), and Community Immunity were all mentioned as successful collaboratives in which CSOs significantly contribute to the prevention and resolution of conflict on the African continent. An additional example referenced of the Golden Triangle was the creation of a consultative mechanism between the Southern Africa Development Community (SADC) and CSOs. The mechanism sought to align



regional integration projects to CSOs based on CSO capacities and resources, which optimized the synergistic relationship between government and civil society while allowing it to be adaptive to emergent needs of member states and capabilities of CSOs.

However, each of these three nodes on the Golden Triangle can be as much a driver of conflict as a force for its prevention and resolution. One panelist suggested the notion of the Iron Triangle as a symbol for scenarios in which businesses can drive conflict through engagement in smuggling, extractive resource industries that finance war economies, and other harmful activities. It was also noted that, as the global energy market shifts from fossil fuels to renewables, there will be a shift from reliance on countries that produce fossil fuels to those that produce the resources that sustain sustainable energy technologies like Lithium batteries. This shift could in turn bring about a shift in the countries currently experiencing resource-based conflict and may not augur the positive impact often advertised in this global shift towards renewable energy. While panelists agreed that, on the whole, multinational companies are forces for economic prosperity and generally provide positive social impact to the countries within which they operate, this dynamic must be monitored for potential adverse impacts.

Relatedly, governments in the world today are frequently sources of harm to their

citizens and were even characterized by a panelist as the most common “bad actor” of the group. From poor governance in developing countries to illiberal trends in several countries (Hungary, Brazil, and India were mentioned by a panelist), there are plenty of examples in which governments no longer appear to desire betterment for the lives of their citizens, and instead focus on enriching governing elites and maintaining their power. Furthermore, the historic role of civil society to hold governments accountable for human rights abuses is losing efficacy as a narrative of CSOs operating with suspect motives becomes more pervasive and governments no longer feel pressured to change their actions through “shaming and naming” campaigns. The silver lining of this challenge is that governments *are* still responsive to economic pressures (referred to by one panelist as the Achilles heel of unresponsive governments), and that civil society can partner with the private sector to provide a platform for the constraints that illiberalism and poor governance put on economic growth and the prosperity of their citizens.

Just as businesses and governments can struggle to fulfill their potential in the Golden Triangle, so too are CSOs challenged by the “shrinking space” for them to operate amidst regulations that limit their activities and the securitization of civil society by police and security actors. Indeed, the closure of Twitter in Nigeria and of social media



throughout Ethiopia, as well as the regulation of CSO funding and restrictions on freedom of assembly in several countries present just a handful of examples of this shrinking space. While these constraints are concerning, one panelist noted that, rather than thinking in terms of “shrinking space,” CSOs should consider their operations as in a “shifting space” in which the closing of opportunities to civil society are accompanied by the

joining international NGOs as opposed to local NGOs, weakening African civil society.

While the challenges to realizing the potential of the Golden Triangle remain formidable, all panelists reflected on the urgency of partnerships between these three nodes given current conflict trends. On the African continent, the projected 450 million young people who will join the labor market

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opening of other opportunities. Within this framework, the focus becomes less on CSOs learning to accommodate constraints than it is on searching for emerging opportunities that capitalize on CSO strengths and capacities to bring about positive change alongside governments and the private sector. This can be easier said than done, however, particularly for local NGOs and CSOs. One challenge these NGOs face is the domestication and localization of international NGOs in African cities, which not only engenders competition between local and international NGOs for funding from donors, but also leads to local experts

over the next 30 years, combined with harmful and disruptive impacts of climate change and soil erosion, could create an explosive situation that catalyzes conflict throughout the continent. Panelists also recognized that the Golden Triangle is not a panacea, noting that businesses and civil society may have limited impact amidst active war, which requires peacemaking and conflict resolution efforts. Still, these synergies hold profound potential to bring about transformative and sustainable economic growth while mitigating conflict drivers and preventing future conflict in regions of simmering tensions, low-level conflict, or post-conflict environments.

### 3. THE ROLE OF THE PRIVATE SECTOR IN CONFLICT PREVENTION AND RESOLUTION



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In this morning session, the former president of an international development bank reflected on strategies to pull impoverished communities into economic prosperity and to address political instability and violence through development. The panelist highlighted five “keys” for these communities to move beyond emerging conflict. First, many of these conflicts are driven by a dependence on, and exploitation by, extractive industries. It is important to note, however, that extractive industries are not inherently problematic. Indeed, they can be sources for economic and

context, engage meaningfully to integrate local communities in production, and ensure that these communities benefit from the gains that follow from hosting these industries. This must go beyond provision of grants and welfare, and move towards the deployment of instruments such as social impact bonds, direct investment, innovation bonds, and political insurance that can facilitate this connection between the private sector, government, and communities.

Second, there are often historic antagonisms between the private sector and government, marked by mutual suspicion and

**“The private sector and public sector must move beyond the Do No Harm principle towards the Do Good principle”**

equitable growth if these industries become connected to local sources of creativity and innovation, hold an awareness of the local

distrust. A key to equitable growth will be moving past these tensions and forging

alliances between government and the private sector.

Third, both sectors must move beyond the “Do No Harm” principle and towards a “Do Good” principle. If private sector companies feel responsible for the sustainable growth of the communities within which they operate, there will be a proactive incentive to work towards equitable growth. Governments must also ensure high standards of compliance with human rights laws and norms.

Fourth, companies must develop a “go and stay” mindset in which they ‘put skin in the game’ through their investments. Specifically, company managers and owners must see their incentives aligned with those of the communities within which they work, and should work with citizens in those communities to ensure that they reap the

benefits the company can provide, including productive jobs and economic mobility. Indeed, when economic mobility diminishes, populism and inequality spreads, as more people see an economic and political system working against their interests rather than for them.

Finally, those seeking to spur economic growth through investment and private sector engagement should be passionate *and* pragmatic, finding the balance of hope and possibility that avoids the worst of naiveness and pessimism. A powerful example of this is the [Medellín Miracle](#), a phrase coined to describe the remarkable transformation of the Colombian city of Medellín from one of the most violent cities in the world to a global hub for innovation and equitable growth. In the late 20th century, the Medellín Cartel controlled much of the city, intimidated children from



impoverished areas into joining gangs, and regularly murdered police officers, judges, prosecutors, and any other public servant that represented the rule of law. The panelist spoke at length about the importance of Medellín citizens' decisions to stay in the city and take it back through collaborative projects, often simple and community owned. The city provides an example where resolute commitment between citizens, entrepreneurs, universities, and community-based organizations came together and reclaimed their city, bringing back the city's roots as a textile hub to bring fashion shows and other entrepreneurial endeavors into the city. A symbol of this success came when the Inter-American Development Bank (IDB) decided to commemorate their 50-year anniversary annual meeting in Medellín, which gave citizens in the city an opportunity to showcase their talents, rebrand their city's image, and attract foreign investment.

One of the dynamics institutions such as development banks must manage is that between stabilization investment that brings about security and investment in social programs that deliver basic services to citizens and promote entrepreneurialism. One example of this dynamic is George Kelling and James Wilson's [Broken Windows Theory](#), which contends that, unless efforts are made in localities that look decayed (i.e. have buildings with many broken windows) to bring about a reversal of this decay, the drivers of the poverty and violence in that

community will persist because citizens will not feel ownership or a sense of hope over their collective problems in these areas. One example where innovative investment tackled both aspects of this dynamic was in a community without many viable places to play outdoor sports and with a prevalence of gangs that gathered in former sports fields. The community decided to erect lighting in these spaces, which became a symbolic and physical gesture of the community taking back this space, and led not only to opportunities for community engagement through sports, but also led to citizens reclaiming their communities and disrupting gang violence, as gangs no longer controlled their regular meeting places.

In addition to disrupting gang activity, people who have committed crimes must be more effectively engaged within the criminal justice system in order to prevent recidivism and ensure that these individuals become productive members of society. While there is no single formula for this engagement, policing reforms, skill-building, internships, and employment programs for inmates can produce significant results. These reforms must also build trust between citizens and police to break the distrust and perceptions of ineffectiveness that citizens often hold towards police officers. This condition becomes more intractable when police are viewed as corrupt and politicized, which is the case—in perception and in reality—in many countries in Latin America.



Businesses can play a key role in fostering inter-community trust, as [recent survey findings show](#) a surge in trust for businesses and employers, which is now higher than trust in NGOs, government, or the media. One cause of this increased trust is the perception that businesses now take environmental, social, and governance (ESG) investing seriously, affirming the benefits of the stakeholder model in which businesses seek to not only provide value for their shareholders, but also for all the stakeholders with whom they interact—consumers, customers, citizens, governments, etc. It was noted that a mindset must be inculcated in company managers and owners in which vibrant communities and vibrant businesses

2.5 dollar return. This is because these investments can allow citizens to bring goods to market, connect consumers across a country, and close inequality between different regions of a country. The integral role that [South Korea's infrastructure investments](#) have played in its economic growth provide just one example of the importance of infrastructure and PPPs to generating prosperity. These types of investments are all the more critical in rebuilding countries ravaged by violent conflict or environmental disaster. Another prime example of the public sector, private sector, and an international financial institution coming together to support growth is the [Haiti Hope Project](#), which was a

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are in symbiotic relationship in which each builds up the other. Sometimes this requires citizens and businesses working with local-level governments instead of national-level governments when the latter do not hold the same values and ambitions. One area where public private partnerships can flourish is in infrastructure investments, where some research has shown that every 1 dollar invested in infrastructure can generate a 2–

collaborative project between the Coca-Cola Company, the Clinton Bush Haiti Fund, the IDB, the US nonprofit TechnoServe, and the Odwalla beverage company to employ over 20,000 Haitian mango farmers in creating a mango juice industry in Haiti following the Haiti earthquake.

On the other hand, companies can also be ‘bad actors’ that act against the interests of private citizens, and even when





this is not the case companies should be pushed to do more to engender sustainable growth in communities where they operate. One example provided is that of Haiti, which was characterized as having two sets of companies: those that seek to open up markets, embrace globalization, and view economic growth as beneficial for all, and those that desire to hold on to their share of the market and resist opening up markets in ways that would promote growth because this may mean their portion of economic production decreases. Additionally, multinational companies in the extractive industries risk harming not only the communities surrounding mines, but also the environment through the extraction process, requiring difficult decisions about whether certain mining operations should be avoided for the greater good. To counteract this potential for harm, businesses, the financial industry, and governments should proactively provide transparency for their funding streams and investment. Businesses should also work to hold each other accountable and provide collective pressure to incentivize a stakeholder model and disincentivize unethical business practices. Shareholders can also apply pressure on businesses to engage in ethical practice, though this is much more common in the US and Europe than it is in Latin America.

Strategies for sustainable and equitable economic growth must not only contend with bad actors, but also with a

changing world in which innovation can also be disruptive to the job market. This disruption has led to a global economic system today in which a staggering number of jobs demanded in the labor market remain unfilled. To address this gap, the IDB created programs to train young people through internships and skills-based training programs. In one example, Panama entrepreneurs started a program for Latin American youth—targeting girls in particular—to develop coding skills, due to the demand for these skills in today’s labor market. Coca-Cola and the International Financial Corporation embarked on a similar [venture](#) through which traveling buses trained women as retailers, which in turn supported these women to attain sustainable livelihoods and become entrepreneurs.

The discussion and closing comments highlighted the importance of affirming hope and creative possibility amidst the many obstacles and intractable dynamics standing in the way of economic growth, conflict resolution, and violence production. This affirmation of hope was invoked by the panelist reading the following excerpt from an Emily Dickinson [poem](#):

“Hope” is the thing with feathers -

That perches in the soul -

And sings the tune without the words -

And never stops - at all -

## 4: CSR, PPP, AND SOCIAL IMPACT INVESTING



This afternoon discussion examined the challenges, tensions, and opportunities for investing in conflict and post-conflict environments to bring about durable peace and equitable growth. Each panelist has experience grappling with social impact investing across the globe, and discussed specific examples and general findings from their work. Through this discussion, nuances were elucidated about the problems post-conflict investment and peacebuilding faces in different geographies, and general lessons learned were drawn out from shared experiences and struggles. This summary describes the specific challenges relayed from individual conflict zones and regions, and then steps back to review the themes that cut across all panelists' reflections.

While conflict on the African continent resists essentialization, certain themes can be identified in conflict drivers and dynamics. Most saliently, the African continent has seen a multitude of problems in

governance and leadership. Across countries and regions, governments have been unable to deliver public goods such as education and public services, to enforce the rule of law, or to distribute the benefits of their country's human and natural resources to its citizens. Despite these failings, there are far fewer carte blanche passes given to dictators and autocrats on the continent today, and survey data suggests that sixty percent of Africans believe they live in a better governed society than 15 years ago.

This progress is encouraging, but four core issues remain. First, Africa is facing "a tsunami of young people" such that fifteen to twenty million new jobs are needed every year. This requires investment, which would be greatly facilitated by the African Continental Free Trade Area (AfCFTA). If the "Africa market" continues to be composed of 55 individual markets, investors will be reluctant to investing in it. If the AfCFTA successfully merges markets and opens the door to a genuinely continent-wide

market, the investment opportunities will multiply.

Second, Africa needs to address the core issues of energy provision and infrastructure building. The most pressing problem in Africa is in energy, as 400 to 500 million Africans do not have access to electricity on any given day. The Council on State Fragility has emphasized the high returns that scaling energy investments can bring to fragile states, and has called on the G7, private investors, multilateral institutions, and governments of fragile states to prioritize energy investments. Indeed, it was noted that scaling energy access can bring important and relatively easy ‘wins’ that can advance stability and tangibly reveal the peace dividend promised after conflict. Given the number of Africans living in rural communities and the susceptibility of central grids to terror attacks, it is recommended that

off-grid energy sources like solar grids be used to bring energy to rural areas.

Third, investment in Africa must incorporate innovative financial models that are viable even in unstable areas. These models must find ways in which low returns from public investment are accepted in exchange for high returns in the private sector, which is necessary to incentivize private sector investment. The panelist remarked on his own struggles—layered in the historical racism of global financial institutions—in acquiring capital, noting that his company was sold without holding any debt because he was unable to acquire loans from these institutions, unlike the investors who acquired his company and *did* receive loans from these same institutions for the same company. Another challenge that innovative models can address is how to de-risk investment and incentivize businesses to





develop in conflict areas, while also engaging with local populations to ensure that these investments are not “imported solutions” that bring about unviable projects for the community executing them.

Finally, entrepreneurs and investors should harness the innovations provided by the digital economy to compensate for the absence of physical infrastructure in African countries. For instance, young Africans have developed phone applications that easily bring businesses to market across geographies in the continent. The prevalence of mobile phone financial transactions, more of which occur in Africa than anywhere else in the world, demonstrates this ingenuity to leverage digital innovations. To further galvanize digital technology for growth, there is a need to expand internet access and electricity to rural areas. Many children lost a year of education during the Covid-19 pandemic because they did not have the individual and communal resources to engage in distance learning, and the spread of the internet and electricity are the first steps to overcome these challenges.

Second, a panelist with experience in social impact investing in Afghanistan noted the crucial importance of quick returns and the role that models incorporating “social returns” (i.e. advancements in public goods like education and poverty reduction) can play in a successful approach. For example, the US military’s Commander’s Emergency

Response Program (CERP) provided a mechanism to quickly deploy capital for projects (a few hundred thousand dollars each) that immediately and tangibly benefited communities. The success of this program and the projects it funded depended on cultivating partnerships with local community leaders and creating blended finance tools wherein, for example, philanthropic capital could fill in gaps left by CERP funding. The openness that investors in US and Europe have shown to valuing financial *and* social returns in conflict and post-conflict areas presents additional promise to these blended finance models. In order for blended finance to work in these settings, three conditions are necessary: i) investors must understand the form, function, risk, and utility of hybrid investing tools; ii) social entrepreneurs need tools and training to access and use these investments; and iii) the information asymmetry between investors who prioritize social returns and the project managers who are held accountable to measuring social outcomes must be overcome. For all three conditions, strong and trustful relationships between entrepreneurs and investors is crucial.

Third, a panelist spoke about his contributions to drawing out the “peace dividend” in Colombia following its 2016 peace agreement between the FARC and Colombian Government. Approximately 14,000 former FARC members have gone through the reintegration process set up by

the peace agreement, and roughly 250 business models have been created by these former combatants that are in different states of maturity. The panelist reflected on his assistance to two successful business projects, which succeeded in part due to the digital tools that allowed for the coordination of product design, logistics, and the creation of a value chain quickly and collaboratively across continents. In one example, digital connectivity allowed cacao producers to connect with new customers and markets that allowed them to sell their cacao for two to three times the price they had been forced into by predatory actors in the local market. As in other examples, blended finance mechanisms were identified as integral to the success of these projects, and the primary challenge was how to use these mechanisms to connect global market forces to entrepreneurial enterprises. This raises

additional questions about how to harness private equity and venture capital within a blended model that also incorporates the risk mitigation mechanisms of states and other entities to advance growth in conflict-affected areas. Additionally, the capacity of these blended financial models to facilitate market forces reaching the actors who have long been isolated from global markets remains a central challenge and necessary step to realizing the peace dividend. However, these daunting challenges should not overshadow practical objectives that can be reached. For example, the amount of capital hypothesized as needed to ensure that all former FARC combatants who have been reintegrated will be gainfully employed—between \$50 to \$100 million—is an achievable goal for blended financial mechanisms.



In addition to the lessons learned from specific examples of impact investing, each panelist observed broader lessons and themes from their work, with substantial overlap between panelists’ respective observations. One framework presented concentrates on the common characteristics of successful cross-sector partnerships that stimulate economic growth and achieve mutually-agreed upon goals. These characteristics include i) effective planning and processes among partners from the outset of the partnership that delineates a comprehensive approach to problem solving, ii) coordinated, motivated, and diverse teams working together through these partnerships, iii) community engagement and community leadership that centers the priorities of community stakeholders, iv) complementary financing that can offset risk, and v) clear measurement of performance indicators. If entrepreneurs and investors centralize these five elements in their partnerships, they will

be more resilient in the face of challenges and more intentional about fostering an approach aligned with their goals.

As described in the examples above, panelists also spoke to the disconnect pervasive between entrepreneurs in conflict-affected areas and the capital markets they need to access for their enterprises. Particularly in the period immediately following a peace agreement or lapse in active conflict, unscrupulous actors who have benefited from conflict are often the first to capitalize on conditions of peace, either by crowding out other actors or by funneling the post-conflict stabilization funds made available by the international community to themselves. To counter this phenomenon and support actors who value durable and equitable growth, it is necessary to build mechanisms that connect entrepreneurs with jobs and business creation quickly after conflict ends.



In order to facilitate this connection between entrepreneurs and capital markets, investors must be able to “demystify” the complexity of a post-conflict environment. That is, they must map the economic landscape and understand the monopolistic interests that often dominate that landscape during conflict. One panelist analogized this landscape to the presence of dozens of large padlocks that close an economy during a conflict, and the process of demystification as

investments to fruition within complex post-conflict environments. For example, accompaniment mechanisms can ‘nurture’ an investment by facilitating dialogue with conflict actors to ensure that they respect the value of an investment and resist co-opting it for their own political purposes. Another time where ‘nurturing’ is needed is when investments in things like large scale mining operations cause significant disruption to local economies and create ripple effects

**“One of the intractable challenges facing all of the approaches and best practices outlined by panelists is the disconnect between the need for quick and flexible disbursement of funds in a post-conflict environment and the bureaucracy of international institutions that resists spontaneous investments.”**

one that unlocks these padlocks to create co-production of markets and opportunities post-conflict. Central to this framework is the understanding that tremendous entrepreneurial capability and energy exists in conflict and post-conflict zones, but this energy and capability is often uncoordinated and unreached by global capital markets. Moving from problem to opportunity, this panelist highlighted the possibility that digital connectivity presents to create innovative ways of connecting entrepreneurs to global capital.

Additionally, once a social impact investment is made, there is a need for mechanisms that can then “nurture” these

permeating entire communities. These impacts must then be managed through conflict management and mitigation measures such as dispute resolution systems, which allow the community to absorb the shocks of the investment and maximize benefit from it.

In addition to connecting entrepreneurs to capital markets and utilizing mechanisms for quick and coordinated disbursement of funds, panelists spoke about the need to scale-up these investments and thus broaden their impact. Four specific suggestions for scaling up were identified: i) provide space for anchor companies (i.e. large corporations) to drive investment and



use their leverage to root out ‘bad actors,’ ii) incentivize public private partnerships (PPPs) that incorporate local ownership, engagement, and peacebuilding, iii) create accompaniment mechanisms that act as the infrastructure for peace and iv) build trust through monitoring mechanisms that outline mutual expectations in these partnerships.

One of the intractable challenges facing all of the approaches and best practices outlined by panelists is the disconnect between the need for quick and flexible disbursement of funds in a post-conflict environment and the bureaucracy of international institutions that resists spontaneous investments. For example, the International Financial Corporation typically requires around eight months of due diligence research before deciding to fund a project, and requires the company it is considering funding to cover the cost of this research. This due diligence research frequently costs hundreds of thousands of dollars. Not only is this approach cost-prohibitive for many enterprises and requires taking a risk that many companies may not be willing to make, but this due diligence research prevents rapid investment for urgent projects that panelists emphasized are crucial in the period immediately following the end or suspension of conflict. In reviewing the role of these international institutions in social impact investing, it was asked rhetorically whether they should act as a

private financial firm like Goldman Sachs, or be open to taking on more risk and more adaptive mechanisms given their mission and the environments within which they seek to invest? If international institutions like IFC focused on the need for ‘quick wins’ (i.e. the spread of electricity access to communities immediately following a peace agreement through investments in solar grids), their impact will be greater and contribute more fruitfully to a durable peace. This goal can be further advanced by coordination among donor countries in aligning their funding to projects and sectors that fit each country’s priorities and expertise while collectively contributing to a holistic investment strategy.

Throughout this session, panelists touched on the key dynamics and challenges of social impact investing in conflict and post-conflict environments. They examined the core issues of, as one panelist called it, “the last mile problem” of leveraging investment for maximal benefit to communities, and the “pace problem” of moving quickly to unlock global market access for entrepreneurs and facilitate adaptive and emergent partnerships between enterprises and investors. Through both in-depth examples around the globe and a broader exploration of the opportunities and problems of social impact investing, this discussion presented a multitude of access points for future research and analysis.



## 5: LESSONS FROM THE COLOMBIAN PEACE PROCESS



**MARÍA VICTORIA  
LLORENTE**  
MODERATOR  
EXECUTIVE DIRECTOR,  
FUNDACIÓN IDEAS PARA LA PAZ



**MARCOS CALARCÁ**  
MEMBER OF THE COLOMBIAN  
HOUSE OF REPRESENTATIVES |  
FORMER FARC SPOKESPERSON



**SERGIO JARAMILLO**  
FORMER HIGH COMMISSIONER OF  
PEACE IN CHARGE OF  
NEGOTIATIONS |  
FORMER VICE MINISTER OF  
DEFENSE AND NATIONAL SECURITY  
ADVISOR OF COLOMBIA

In this morning session, two high-level negotiators from the Colombian Peace Process—Sergio Jaramillo from the Government of Colombian delegation and Marcos Calarcá from the FARC delegation—reflected on the factors and conditions that led to the signing of the 2016 “Final Agreement for the End of the Conflict and the Construction of Stable and Lasting Peace.” This agreement, which permanently and formally ended half a century of hostilities between the FARC guerrilla movement and the Colombian Government, resulted from over six years of negotiation, one-and-a-half of which were conducted entirely through a secret backchannel process that created the

agenda and prepared the ground for negotiations. The discussion began with an overview of how the parties approached five core dilemmas of the negotiation, which were returned to frequently throughout the discussion and merit enumeration here.

The first dilemma was between the need for confidentiality between the negotiating parties and the desire for transparency to bring integrity and public engagement to the process. Between September 2010 and February 2012, small teams on both sides negotiated the agenda and other preparatory logistics for the negotiation through a secret backchannel. This period provided an essential foundation

**“This period provided an essential foundation for future dialogue and a commitment to a set of issues, including justice for victims, that may not have been addressed as thoroughly if not agreed to early on.”**



Marcos Calarcá

for future dialogue and a commitment to a set of issues, including justice for victims, that may not have been addressed as thoroughly if not agreed to early on. For the FARC, Mr. Calarcá noted that it established that there was political will on the government side to find a political solution, and that international actors whom the FARC trusted would be integral to advancing the peace process and available for consultations. Additionally, both parties kept confidentiality and were therefore able to speak honestly to each other and understand each other's positions and interests without having to consider the political implications of their comments on their constituents. This approach was contrasted to previous approaches in which each side simply gave a list of conditions to the other side, which each side would then reject, ending the negotiations. Instead, parties were able to “place the problems on the table” and build trust in secret

negotiations to work through them, with support from external actors including Cuba and Norway at first, and Chile and Venezuela later on.

The second dilemma concerned whether or not to negotiate a ceasefire at the start of negotiations. Both sides decided mutually to not have a ceasefire at the beginning, not only because this approach had failed in previous peace processes—the FARC did not see any benefits to agreeing to a ceasefire early on, causing intractable disagreements that ended the negotiations—but also because of the desire to separate the political dialogue in Havana from the military situation in Colombia. When the FARC declared a unilateral and informal ceasefire in December 2014, it reflected the progress in the talks and gave them much more credibility than if a ceasefire was implemented from the start. By 2015, both sides had agreed on 15 measures for de-



escalation, and by allowing the political negotiations to dictate the military de-escalation, the latter was conducted much more effectively.

Third, the parties grappled with the question of how to make the process both inclusive and effective, recognizing that the more people who are at the table, the more difficult it will be to reach agreement. President Santos placed high-level military and political figures, such as former Colombian Vice President Humberto de la Calle Lombana, in the negotiating team, and the FARC similarly showed commitment by sending leadership to the negotiations. Over time, the process became more participatory. For the FARC, Mr. Calarcá relayed that increasing participation in the process came in stages, with the secret meetings including only the Secretariat and three other leaders. The exploratory phase led to an expansion of FARC political and military leaders involved in the discussions, but this group was kept to only those that were trusted to not leak information about the talks. Once the agreement was finalized, the FARC leaders returned to Colombia for a large meeting of central leaders to endorse the agreement. This took 2-3 days of locked-door meetings, but resulted in consensus approval of the agreement with only a few amendments. This was followed by ratification at La

Conferencia Nacional Guerrillera (National Guerrilla Conference) without any revisions, showing again how committed the FARC were to ending the conflict through this political process.

The fourth dilemma concerned the timeless issue of reconciling peace with justice. This was addressed by both parties agreeing to abide by the Rome Statute<sup>1</sup>—Colombia was already a signatory to it—and an international humanitarian rights framework. The main dilemma faced by the parties was how to transform the FARC from a guerilla movement to a political movement while also seeking justice for crimes committed by FARC members and government soldiers. As mentioned earlier, both parties had agreed to centering victims in the initial agenda agreed to in secret talks. In order to realize this ambition, an innovative mechanism was created whereby representatives from the United Nations, Catholic Church, and National University of Bogota selected victims to come to the witness table in Havana and share their stories. Prior to this, only experts had been allowed at the witness table to provide advisory support, so this step involved a significant diversion from the norms of the process up to that point. In total, 60 victims

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<sup>1</sup> The Rome Statute, which established the International Criminal Court, was adopted at a conference in Rome on July 17, 1998, and entered into force on July 1, 2002. It enshrined into international law the prosecutorial power of

the ICC for four international crimes: i) Genocide, ii) Crimes against humanity, iii) War crimes, and iv) Crimes of aggression



came to Havana to share their stories, which both parties recognized as an emotional process that became, as Mr. Jaramillo phrased it, “the spiritual center” of the process thereafter. This was a historic moment, as the FARC became the first guerrilla movement in history to agree to be called to justice for their crimes alongside the Colombian military forces by victims of their violence. Throughout this process, the government and FARC were in constant dialogue with the ICC, which was often contentious and difficult but ultimately successful in leading the body to validate the process.

The final dilemma is the balancing act navigated by each side to simultaneously manage peace negotiations and their internal politics. For President Santos’s Government, Mr. Jaramillo reflected that the peace process drew out the strongest political opposition

faced by any peace process in history, led by former President Alvaro Uribe Veles. Even after the failed referendum on the agreement and the FARC agreeing in renegotiation talks to 95–98% of the modifications that were asked for, the opposition remained steadfastly against the agreement because, according to the panelists, they were driven by political opportunism.

Beyond these fundamental dilemmas of peacemaking, the panelists reflected on conditions that allowed for the success of negotiations, foremost among which were the role of international organizations and states and the trust-building that occurred throughout the negotiations. Both panelists acknowledged the crucial role of states and international organizations in assisting the parties to navigate the logistics of the process and work through “the rains over which [the parties] were going to be moving the train” of

the negotiations. While parties were skeptical of even the existence of a so-called “international community,” they lauded the ways in which specific governments and international nongovernmental organizations were able to make targeted interventions to advance the peace process. For instance, the International Committee for the Red Cross (ICRC) flew the FARC delegation to Havana in the early days. In addition to moving the process forward, this built trust between the FARC and the government negotiators, as the government actively assisted to ensure that

**“By holding the dialogue in Cuba, FARC negotiators were able to feel safe and had confidence that confidential information would not be leaked by hostile actors.”**

this arrangement worked, proving their commitment to the negotiations in the eyes of the FARC. Similarly, by holding the dialogue in Cuba, FARC negotiators were able to feel safe and had confidence that confidential information would not be leaked by hostile actors. Serendipitously, the negotiations occurred in parallel to negotiations between the United States and Cuba for the betterment of their own relations. The two processes were conscious of each other and mutually benefited each other. The FARC also relied heavily on consultations with Venezuela, as the group struggled to find external actors with whom they could consult given the concern among external actors that they would be labeled as friends of the insurgency

if the dialogue failed to produce an agreement.

It was important for the process that there be both consultants and facilitators to the process. Cuba and Norway, who acted as facilitators and were always in the room, helped the parties move past intractable issues, often by speaking with each of the parties separately in turn to problem solve. Once the negotiations became public, Chile, Venezuela, the United States, and the United Nations all contributed to moving the process

forward as well. In particular, the US and UN gave the resources necessary to facilitate disarmament, which allowed the parties to bypass the thorny alternative of the FARC members handing in weapons to the government. Similarly, the agreement called for a “joint verification mechanism” through which FARC, government, and UN representatives would jointly monitor and evaluate the implementation of the agreement, allowing the FARC to overcome their concerns about pro-government bias within UN peacekeeping missions.

The former negotiators expanded upon the enabling role of international actors when discussing the process of building trust



in the negotiations. Notably, both agreed that trust was not simply believing what the other person said, but was something that was *shown* and *could be seen* through concrete actions and steps taken by each side. For example, the government “showed” trust to the FARC by safely transporting FARC leaders in government helicopters between Colombia and Havana despite the lack of a ceasefire. Similarly, the FARC “showed” trust by keeping confidentiality despite a poor track record of this in the past. Building trust was not without hurdles, however. For instance, the FARC wanted one of the international guarantors to create a photo or video registry of the first meeting to mark the historic date, but the government rejected this proposal out of concern that there would be leaks. Indeed, the government only allowed video documentation of the final signing ceremony. This early rejection by the government of a FARC proposal, alongside the government presenting a list of proposals early on to the FARC, created skepticism among the FARC about the seriousness with which the government was entering negotiations. Despite this initial suspicion, the two parties agreed to continue talking, and over time they built enough trust in the other side’s commitment and momentum toward an agreement that they were able to problem solve despite significant disagreements.

Lastly, the panelists emphasized that the agreement was built primarily for

Colombians, not just combatants: only part of one point in the agreement (out of six points total) related to the fate of combatants. All other aspects of the agreement set out to address the original drivers of the war. As a result, though, while the panelists affirmed that the former combatants and government need to fulfill their obligations under the agreement moving forward, they argued that the Colombian people need to take ownership over the vast majority of the agreement, which concerns *their* future. Both panelists also noted the challenges of implementation under the current Colombian government, which is hostile to the agreement, and among the small portion of the FARC leadership that has left the agreement. Some former members of FARC also left to join criminal gangs associated with the narcotics trade, while others left due to failures of the implementation that left them without basic subsistence in the reintegration zones.

While the discussion unearthed continuing disagreements between both sides, the remarkable camaraderie and deference displayed by both of these negotiators towards the other exhibited the possibility of transformative dialogue to bring about lasting peace. Indeed, this rare examination of the challenges, lessons learned, and triumphs of a six-year successful peace process with Mr. Jaramillo and Mr. Calarcá provides tremendous insight for peacemakers, diplomats, and international affairs professionals.

## 6: THE CHALLENGES OF IMPLEMENTATION



In this afternoon session, four current and former Colombian political leaders and one Colombian business leader discussed and debated the implementation of the 2016 peace agreement between the Colombian Government and the FARC. Coming from different political parties and backgrounds (one panelist was himself a former FARC leader and combatant), the panelists' contributions were as notable for their disagreements as they were for their commonalities.

According to a recent [report](#) by the Kroc Institute for International Peace Studies at the University of Notre Dame, [implementation](#) of the agreement is as follows at the end of 2020: 28% of agreement provisions have been fully implemented, 18% of provisions are in the intermediate phase of implementation, 35% of provisions are in the minimum phase of implementation, and 19% of provisions have not been initiated. Panelists seemed to largely agree with this analysis, although some argued that the pace of implementation was far too slow,

while others contended that the pace of implementation aligns with the established timeline of 15 years to implement the agreement. While the current administration under President Márquez has held hostile views of the agreement in the past, one panelist noted that this administration has created a detailed plan for the implementation of the agreement over the next 10 years of the 15-year timeframe outlined in the agreement, and that successful implementation necessarily takes time and requires patience. This plan includes a roadmap for the renovation of the victims' law, the reincorporation of ex-combatants, the substitution of crops program, and rural reform, the last of which the panelist noted is projected to take 30 years.

In summarizing implementation of the agreement, panelists distinguished between the conditions and activities of planification, funding, and implementation. For most of the first year after the agreement was signed, Colombia's government focused on the planification and funding of the



agreement. This was done through the Medium-Term Fiscal Policy, an annual document produced by the government that outlines Colombia's public finances over the next decade. In 2017, it estimated that implementation of the agreement would cost \$43 billion, or 15% of Colombia's GDP over 15 years (approximately 1% of GDP per year). In addition to seeking private sources of funding and international funders, former President Santos's government [reformed](#) the Colombian constitution to distribute royalties from extractive industries more evenly across the country by funneling them through the central government. With the peace process completed, it then sought to divert a portion of these royalties to covering aspects of the peace agreement.

Continuing on this foundation, President Márquez's administration created a plan for implementing the agreement and has established a number of funding mechanisms for realizing this plan that amount to 10 billion pesos. First, the government has relied

on international funding, including funding packages from governments such as the European Fund (also including the UK and Chile), funding from South Korea's Korea International Cooperation Agency (KOICA), and aid from the United States Agency for International Development (USAID). Second, foundations have contributed significant funds, including the Buffett Foundation's [\\$200 million](#) commitment for crop substitution in the Catatumbo region. Third, international institutions such as the United Nations have contributed through funding packages such as the Multi-Partner Trust Fund. Fourth, the private sector makes significant contributions to advancing implementation of the peace process, including through payment of taxes, contributions stemming from corporate social responsibility (CSR) programs and policies, and direct investment in rural communities. Private sector investment has a symbiotic relationship with government





institutionalization of the peace agreement, as the increase in security and arrival of state institutions in rural areas brought about by the peace agreement in turn increases the viability of private sector investment, leading to estimates that private sector investment has increased 150% in every year of implementation thus far. Additionally, the current administration has established memorandums of understanding (MOUs) with labor unions in Colombia's rural areas to further cooperation between the public sector's advancement of the peace process and the private sector. However, it has not used the resources created through the stock established by former President Santos's government.

The 2016 agreement, formally called the [Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace](#), contains six points: i) Comprehensive

Rural Reform (RRI), ii) Political Participation, iii) End of The Conflict, iv) Solution to Illicit Drugs, v) Victims and Transitional Justice, and vi) Implementation and Verification.<sup>2</sup> While all six points were touched on in the discussion, panelists focused primarily on Comprehensive Rural Reform. Although all agreed that RRI was the centerpiece of the agreement, panelists disagreed about the success of its implementation thus far. First, formalization of land featured prominently in RRI provisions, and panelists discussed the progress with the multi-purpose land registry (*cadastre*) to formalize land ownership. Panelists disagreed about the extent to which the multipurpose registry, established by President Márquez to formalize land ownership for all rural areas as required by the agreement, has advanced on pace with the agreement's provisions. While some

<sup>2</sup> The Colombian Government's report, [Summary of Colombia's Agreement to End Conflict and Build Peace](#), is a useful reference to further understand the terms used by panelists in this session

and the agreement provisions referred to by panelists throughout.

panelists noted the slow pace of the registry in formalizing land ownership—the current pace falls far short of the goal to update 60% of the territory to the registry by 2022—it was noted that the registry’s [pilot](#) in the Ovejas

combatting the illegal use of land for illicit narcotics cultivation.

A second pillar of the RRI is the Development Programs with a Territorial-Based Approach (PDET), which refers to

**“One challenge for quick implementation of PDET infrastructure projects is the difficulty to reach and develop PDET areas, which represent 1/3<sup>rd</sup> of Colombia’s territory but less than 18% of its population.”**

Municipality has formalized all land in the municipality through conditions set by the current government. Furthermore, the establishment of a \$250 million fund will adopt the approach from the pilot with the aim of formalizing land in 76 municipalities. While debate over the pace of the registry continues, panelists agree that the success of the pilot is an important first step and that the successful spread of the registry will be critical to establishing land ownership and

public works programs in 170 municipalities prioritized to receive assistance as the areas most affected by poverty, the conflict, institutional weakness, and illegal economies. Just as with the land registry, panelists disagreed about the implementation of PDETs, and although all agreed that former President Santos’s government should have done more to implement the PDETs, panelists debated the success of these programs thus far and the degree to which





each project is conceived through a locally-rooted vision. Panelists noted that while ramping up the efficacy and implementation of PDETs is critical, the national plans articulated in the agreement go far beyond PDETs. Some panelists highlighted the shortcomings of PDET implementation, arguing that the failure to implement these projects has led to an increase in violence, while other panelists emphasized the challenges to implementing public works projects in areas where illicit crop cultivation flourishes. One challenge for quick implementation of PDET infrastructure projects is the difficulty to reach and develop PDET areas, which represent 1/3<sup>rd</sup> of Colombia's territory but less than 18% of its population. As a reflection of the infrastructure inequities in these areas, while 98% of Colombians have access to potable water, this access drops to 40% in rural areas and 10% in PDET areas

A third pillar of RRI is the creation of the Land Fund (*Fondo de Tierras*), outlined in the agreement to be 3 million hectares over ten years that will be distributed to rural people without land or with insufficient land. The government has acquired 1.2 million hectares of land—approximately 1/3<sup>rd</sup> of the required amount—although some panelists expressed skepticism over this figure, asking for more evidence and documentation of these land acquisitions. Indeed, one panelist noted that only 5,700 hectares have been given out, and only 3,800 hectares have been

given out to farmers without land. This panelist noted that the Land Fund issue does not even appear on the Ministry of Agriculture web page. Given that the Land Fund is a cornerstone of RRI and Colombian land politics, several panelists emphasized the severity of this shortcoming.

Panelists agreed that Point 3 regarding reincorporation has largely been implemented, and the establishment of monthly allocations for ex-combatants has continued apace. Additionally, of the 26 [reincorporation zones \(ETCRs\)](#), 24 are operating a total population just under 3,000 people. Finally, over 10,000 reintegrated citizens have left the ETCRs, a testament to their success. Panelists also discussed the progress thus far of Point 4 on addressing the problem of illicit drugs in Colombia. A central element to Point 4 is the creation of the National Comprehensive Program for the Substitution of Crops Used for Illicit Purposes (PNIS) to substitute illicit crop cultivation with the cultivation of licit crops in rural areas, though implementation of PNIS has been somewhat [stifled](#) by the current administration. One panelist highlighted the scale of Colombians involved in this issue, stating that the current PNIS includes 100,000 families (400,000 Colombians) and has eradicated 40,000 hectares of coca plantations, half of which eradication occurred during the current administration's tenure. This program has invested over 1 billion pesos and provided

technical assistance to over 75,000 families, making it perhaps one of the largest programs of technical assistance ever in Colombia. However, this program faces tremendous challenges, at the core of which is the imbalance of time; while it takes only a few weeks to eradicate coca in a given plantation, it can take 5–6 years to implement a crop substitution program in that area.

On Point 5, there was consensus among panelists both on the importance of the Truth Commission and the creation of a new court, the Special Jurisdiction for Peace (JEP), as well as on the success in implementation of both institutions and their actions thus far. One panelist noted that the anticipated release of the Truth

Stepping back from the specific provisions of the agreement, panelists noted the vital importance of successful implementation, given the over half century of violence caused by the conflict and the several failed peace processes over the decades. Successful implementation goes beyond operationalizing the provisions in the agreement and requires all Colombians to take collective ownership over the agreement and a collective ethos that implementing this agreement does, in fact, represent the end of the conflict. It also requires addressing violence committed by armed actors and paramilitary forces beyond the agreement signatories. Panelists emphasized that the process must “transcend Havana” and be seen as an investment for all Colombians as

**“Successful implementation goes beyond operationalizing the provisions in the agreement and requires all Colombians to take collective ownership over the agreement and a collective ethos that implementing this agreement does, in fact, represent the end of the conflict.”**

Commission’s November 2021 Report represents a landmark in implementation around which all Colombians can rally and will provide an important update regarding justice for victims, one of the most important elements of the peace process.

opposed to an expense. Dialogue is imperative to resolve differences and disputes that inevitably arise during implementation, and panelists reinforced the message of resiliency that has been embedded in the peace process since its inception.

## 7. NATURAL RESOURCES: CONFLICT DRIVERS OR DEVELOPMENT ASSETS?



In this morning panel, four Congolese experts discussed mining policy in the Democratic Republic of the Congo (DRC), and the ways in which government, the mining companies, and civil society interact in the mining sector. In reflecting on the past twenty years of mining in the DRC—from the beginning of former President Joseph Kabila’s administration in 2001 to the third year of President Tshisekedi’s administration today—all panelists agreed that the country has made substantial improvements in both the expansion of this sector and its regulation. This expansion mirrored that of the country’s economy and state budget. In 2001, Kinshasa had a budget of only \$300 million, compared to current annual budgets approximating \$4 billion. According to recent estimates, revenue from the mining sector represents 35–40% of the state’s budget, and this proportion is projected to increase significantly with the expansion of copper mining in the coming years. The mining industry has not only grown in size, but has also increasingly relied

on cleaner energy. Much of the mining sector in the DRC relies on hydro energy produced by the Inga Dam, and although still uncertain, if the proposed Grand Inga Dam comes to fruition it could produce more than 1/3<sup>rd</sup> of the total electricity produced in Africa, elevating the potential for clean mining in the country. Additionally, companies like Glencore have invested up to \$500 million in refurbishing wind turbines to run mining operations.

Panelists had a lively debate about mining policy and its impacts on Congolese. On the one hand, panelists noted two policies that have driven investment in the country’s mining sector and, through taxes, expanded government revenue and state services. First, the 2002 Mining Code, passed early in Joseph Kabila’s administration, brought an official government mining policy to the DRC that gave mining sector regulations a coherence that incentivized long-term investment by companies like Kibali and Glencore, and fostered collaboration between the DRC and World Bank. The legislation



required formal adherence to Extractive Industries Transparency Initiative (EITI) standards, a critical step forward according to all panelists. EITI now monitors and publishes government income from the mining sector and how this income is distributed and expended, which has given NGOs and media companies the ability to report this information and hold the government accountable for it. Second, in 2018 the Tshisekedi government, in collaboration with civil society actors and the private sector, amended the 2002 Mining Code with Law n° 18/001 to ensure that more mining revenue is kept within the DRC economy and is thus indirectly and directly piped into the state budget. For instance, it increased the royalties the government received from copper extraction from 2.5% to 3%, and from 2% to 10% for cobalt extraction. The creation of the

Entrepreneurship Development Program, which provides technical support to local contractors and through which international companies must share technical expertise with Congolese to empower them in the sector, is yet another example of DRC policies keeping revenue from minerals inside the country. This in part addresses the ways in which mining revenue flows to international companies and foreign technical experts, who in turn spend that revenue and income in foreign countries rather than in the DRC economy.

On the other hand, panelists observed that despite the promise of these policies and the significant growth between 2001 and 2021, significant challenges remain. First, government revenue from the mining sector still falls far short of that in neighboring Botswana, which has a much more institutionalized system of revenue-sharing



Marie-Chantal Kaninda

between mining companies and the government. Panelists qualified this comparison, though, by noting the significant differences in the two countries histories and the resources available to Botswana's government to draw in and keep investment.

Second, corruption both among public officials and private companies remains a problem in the DRC that prevents the Congolese people from reaping the full benefits of their country's natural resource wealth. This corruption not only blocks mining revenue from reaching the public, but has also characterized how companies rise in the mining sector, and therefore which companies dominate it today. Panelists agreed that President Tshisekedi has shown a willingness to fight corruption, as shown in the arrest of high-level officials and his creation of both the business climate cell (CCA) in 2019 to create a roadmap for business reform and the Agency to Prevent

and Fight Corruption (APLC) in 2020 to tackle corruption directly. He also appointed Jules Key to the post of Inspection Générale de Finances (IGF) and gave him authority to aggressively pursue corruption. In addition to these laws, panelists emphasized that fighting corruption necessitates a change in the mentality among all Congolese to reject it in every aspect of life. This impetus by all Congolese to reject corruption is needed even more in light of the state's constrained capacity to implement laws and bring stability to the entire country.

Third, while the Mining Code and its 2018 amendment improved governance in the western DRC, the situation is more dire in the eastern DRC where the proliferation of armed groups, ethnic conflict, and cross-border violence characterize everyday life. This violence is not new. Between 1999 and 2006, 60,000 people were killed in Ituri Province, with the recent resurgence of



violence there driven in part by ethnic conflict between Hema and Lendu communities. While President Tshisekedi has sent troops to stabilize the region, the recent Interprovincial Commission to Support the Awareness, Disarmament, Demobilization, and Community Reintegration Process (CIAP-DDRC) has failed to dissolve armed groups and bring law and order to the region. This is because combatants who lay down their arms have no viable option for reintegrating into the national army or finding sustainable livelihoods, so simply return to arms after a few months. Until this cycle is disrupted and security returns to the region, investors will not come back.

As a result of this violence, companies that had invested in mining projects have since abandoned them. As large mining operations have left, illicit mining operations have spread. In Ituri Province, 150,000 people work as traffickers and illegal gold diggers in artisanal mining (ASM) operations. This reliance on ASMs is not exclusive to the eastern region, as over half of gold production throughout the DRC is done through ASMs, much of which occurs through illicit funding and is illegally smuggled across borders. These smuggled minerals are then exported abroad by interlocutors in neighboring countries. Indeed, the problem of illicit mining in DRC, and the eastern region in particular, cannot be untangled from the role of neighbors like Rwanda and Uganda as importers and

processors of these minerals, which provide significant income to their respective economies.

The role of illegal mining in funding armed groups has led some of the largest multinational corporations—Apple and Tesla among them—to divest from these sources, though panelists argued that this would only further stagnate growth in the DRC and harm its citizens. Rather, the focus should be on reforming mining production of minerals like cobalt into legal, proper, and sustainable production. It's also worth noting that 80% of cobalt production comes from companies that are not violating human rights and following the law, and that while some ASM production involves people perpetuating atrocities like child labor and political violence, cobalt production is ethically resourced through many large-scale mining (LSM) companies. Furthermore, cooperatives like the Fair Cobalt Alliance are working to ensure that ASMs adopt fair labor practices, safe mining procedures, and professional site management. These efforts have changed child labor laws, brought kids into schools who would otherwise be in the mines, and increased revenues for ASMs.

Panelists discussed the nuance of revenues and expenditures for mining companies, and the ways in which both government policy and mining companies' practices have helped and harmed Congolese citizens. Mining revenue is conditioned by



the global market price and the level and cost of production. According to the panelists, the cost of production is approximately 50–54% of revenue, and of the remaining profit, 30% goes to taxes and a large portion of the rest goes to partners and other entities, leading to narrow profit margins at the end. For example, in 2019 one of the largest mining companies in the DRC, Tenke Fungurume Mining, contributed \$414 million to the DRC’s state budget, accounting for approximately 10% of the national budget. On top of this, Tenke Fungurume paid its requisite \$32 million to Gecamines, the national mining company, and an additional \$15 million to Gecamines in consultancy fees, despite not receiving anything in return. Similarly, a panelist noted that Glencore paid just under \$1 billion to the state in 2018, accounting for 20% of the DRC budget that year, although Glencore’s contribution dropped to \$424 million in 2020 due to the

restart of the Mumi mine and lower copper and cobalt prices. While this accounting seems to exonerate mining companies from claims that they are not paying their fair share in taxes, panelists noted that companies often intentionally misstate their operating expenses (OPEX) in order to pay less in taxes. Panelists agreed that the state should be vigilant in ensuring that companies are stating accurate operating costs and transfer prices to avoid inflating OPEX. Government revenue from mining can also be increased through higher tax rates, which would require new tax legislation.

Through this discussion, panelists identified both the opportunities opened for the DRC from the exponential growth in mining revenue—and regulation of the mining sector—over the past 20 years, as well as the lingering problems of corruption and violence that prevent further growth and prosperity for the Congolese public.



## 8. LAND OWNERSHIP, AGRICULTURE, AND BUSINESS



This afternoon session brought researchers, politicians, investors, and entrepreneurs together to discuss land and agricultural policy in the Democratic Republic of the Congo (DRC), and the ways in which it drives and mitigates conflict and political dynamics in the country. The conversation incorporated historical, political, and economic lenses to draw out the nuance and complexity of land issues, particularly in the Eastern provinces where violent conflict has been most intractable.

Panelists articulated a number of frameworks through which land issues in the DRC can be understood. One panelist outlined three dimensions to land issues. First, land provides livelihoods and is central for economic activities including agriculture, mining, and state activities. Second, land is politicized as territory. Territory in the DRC is in turn inextricably linked to political identity, and therefore limiting access to one's land implicates their political identity and social status. Indeed, one panelist described land as a “structuring structure”

that shapes the tenor of relations between groups of people. These relations delimit land access, land rights, and alliances based around land agreements. Furthermore, land is a social objective and something Congolese seek to acquire for political purposes. Finally, land is a source of violence and conflict. This dimension of land is linked to land as property that can be owned, taken, shared, and used. At the same time, the role of land in conflict is intertwined with the role of other resources and must be understood in context. Too often, one panelist reflected, the current reform process around land, led by the Commission Nationale De La Réforme Foncière (CONAREF), views land in isolation instead of in interaction with other resource issues.

In addition to framing land through its social, political, and economic dimensions, panelists advocated for two sets of distinctions in considering the geographic aspects of land issues in the DRC. First, population density varies considerably across the country, with high population density in the east, west, and southwest, and low

population density in the center and northwest of the country. One panelist noted that the DRC has approximately 2.35 million kilometers of land for just under 100 million inhabitants, which theoretically means there is more than enough land for everyone. As a result of the existing imbalance in land density, conflicts arising from land scarcity are more prevalent in the areas with high population density. However, a different type of land issue arises in rural areas due to lack of infrastructure. In order for companies to have success in rural areas, they must provide the infrastructure that would typically be provided by the state. In one example, a company currently operating in the DRC provides electricity and water for anyone living within 100 kilometers of their sites. This in turn provides a draw for people living in the countryside to come to areas with company-built infrastructure, which can

strain company resources and lead to a difficult balance for companies between running a profitable business and acting as a service provider of water, electricity, education, and basic administrative services for a whole area. Panelists advocated for policy that would enable rural communities to use existing infrastructure to create opportunities for people in their communities, thus preventing a sudden influx of migrants to areas developed by companies.

The second geographic distinction is the widely varying degree of volatility among provinces in the DRC. A number of factors coalesce to make land conflict in the Eastern provinces uniquely intractable and violent. These additional factors include population stressors, high rates of poverty, highly sought-after mineral reserves, ethnic tension, and outside intervention from neighbors. Land issues in the Eastern provinces cannot



Andre Wameso



be separated from the aftermath of the 1994 Rwandan Genocide, which not only fueled an influx of refugees, but also led the Rwandan government to occupy land and control resource extraction and exports in this region. At the time, resources like cassiterite were highly sought after, but over the last few decades the importance of coltan in contemporary technology led to its primacy in the extractive mining sector. The southeastern Katanga Region presents another instance of land issues tied to mining access. Large companies operating in the region attained mineral licenses to acquire sizeable plots that could then only be accessed by the population in the area through steep fees. Therefore, residents are denied access to land in their own region and must travel around that area, engendering resentment and conflict. This example also highlights the ways in which land is tied to identity, as this practice in Katanga drives land grabbing practices and exemplifies the link between land appropriation and political status.

Indeed, across the Eastern provinces, land is seen as a source of power and identity. In Ituri Province, land grabbing has intensified land struggles among political and military elite, and although in most cases land struggles remain at the individual level, they can at times impact entire communities and become drivers of long-term conflict. These struggles add to competition over customary power, food insecurity, and displacement.

Similarly, conflict in the Masisi region of North Kivu Province pits the autochthonous population against newcomers who are perceived to be encroaching on ancestral territory. These examples highlight how the land crisis in the Eastern provinces is at its core a political crisis and a land management problem, and while external interventions that provide technical expertise relating to land use, land rights, and legal frameworks can be useful, they are incapable of addressing the fundamental political contentions driving conflict. Rather, panelists argued that the focus should be on cultivating incentives among political elite to create and commit to an agreement around control of land that establishes effective land management structures and mechanisms.

In considering these issues within yet another framework, one panelist references the “Triangle of Issues” connecting land, identity, and conflict in the Eastern provinces. This framework highlights the ways in which competition over land undermines ethnic cohabitation, which in turn drives violent conflict that exacerbates competition over land, creating a constant cycle that repeats itself over and over. While these conflicts can break out at the community and intergroup level, they are even more prevalent at an individual level where issues of land rights, inheritance, widow rights, validity of contracts, and illegal land acquisition drive interpersonal conflicts that can escalate and catalyze

further conflict. At both the individual and community level, this “Triangle of Issues” is related to land governance and its absence in the Eastern provinces. As these issues snowball and efforts to resolve them through local mediation and arbitration mechanisms fail, those involved may resort to joining armed groups to address their grievances. However, these armed groups rarely hold any real allegiance to local communities, and frequently abandon them when it serves their interest, or, worse, extort and rob locals to sustain themselves.

Panelists also discussed the potential to reinvigorate the agricultural sector to address the DRC’s overreliance on extractive industries and the land issues that result. Historically, small-scale agriculture was the bedrock of the DRC economy, which had been one of the largest producers of coffee,

cocoa, palm oil, and rubber on the continent, and had exported maize to much of Southern Africa. Over time, this trade relationship became reversed such that today Congolese are a net importer of nearly every consumed good, and national agriculture produces only 30% of national consumption. One panelist noted that President Tshisekedi desires to increase the importance of agriculture in the DRC economy and reduce its current dependence on extractive industries. The DRC has 80 million hectares of arable land and 40 million hectares of irrigatable land (approximately 200 million acres and 100 million acres, respectively), which gives it enormous potential to feed its own population, as well as a large portion of the African continent as in the past. In order to develop the agricultural sector, investments in energy and infrastructure are needed that would not only increase productivity, but also





provide for factories to manufacture agricultural products.

Effective agricultural development also requires an updated national agricultural policy and agricultural laws. One proposed policy is to expand the range of those who can own and invest in agribusiness. The current law limits foreign investment in agribusiness, which in turn limits growth, even while it ensures that foreign corporations do not monopolize agribusiness in the country. If the current law is modified so that, up until a certain threshold of surface area, foreign investors can hold a majority stake in land ownership, this would open up investment and provide more flexibility for market forces to drive agricultural development. This adjustment could be made in a way that maintained local control of agriculture at the community level, which is essential for community agricultural development. Additionally, current agricultural law does not address indigenous and autochthonous land rights and titles, nor does it define legal relationships between large landowners and small landowners, address tensions between small-scale farming and large-scale farming enterprises, or designate the government entity responsible for policing land issues. Currently, land issues are the responsibility of the Minister of Agriculture, Minister of Land, Minister of Environment, and Minister of Forestry, and at the same time the responsibility of none of these ministries

because of this diffusion of responsibility and lack of role clarity. In order to drive this reform process, one panelist recommended holding a conference that would bring together public and private stakeholders in the agricultural sector to outline the basic principles that would govern a new agricultural law. Finally, agricultural policy should incentivize former combatants who have been demobilized from armed groups to sustain their livelihoods through agriculture. This would align with President Tshisekedi's stated desire to move away from reintegration programs, which have proven ineffective in the past, and move towards livelihood programs for former combatants.

One area of divergence among panelists was whether to focus on support for large-scale farming or small-scale farming efforts. One panelist argued that agriculture in the DRC, unlike in other African countries, was not built around small-scale farming and requires scaling-up to be sustainable. Another panelist noted that, while his has been true in the past, we should rethink what type of agriculture can be viable and how space can be used in the DRC. For instance, agriculture in the postcolonial era has centered around large-scale cocoa and coffee production, but there is also opportunity for farming to return to a more diverse array of crops, which would in turn change the input costs necessary to sustain an agricultural enterprise. Despite this difference, both panelists noted the importance of building



infrastructure that could bring produce to market, as one of the main barriers for farmers today is the lack of local buyers and lack of infrastructure to transport produce to potential buyers further away.

Finally, panelists stressed the distinction between agricultural law and property law, noting that landed property law (*loi foncière*) does not exist in any substantive way in the DRC. As a result, rather than concentrating on reforming landed property law, the conversation should center on the creation of landed property law. In contrast, the 2011 Agricultural Law N° 11/022 has been amended and supplemented over the past decade and provides a foundation from which further reform can be made in the agricultural sector. All panelists agreed, however, that this law has significant shortcomings and requires reform for agricultural development, including the need to clarify the relationship between agricultural law and property titles. In addition, one panelist noted the importance of donors' role in reforming land policy and land tenure in the DRC, and the ways in which competition between donors can exacerbate land issues. The agricultural reform process should also focus on the rights and livelihoods of small-scale farmers in the Eastern provinces, while providing enough

malleability in the law to account for the different needs of different regions. All panelists also agreed that this reform process must be done in conjunction with civil society and the existing local organizations that have been created to address land issues, particularly in the Eastern provinces.

This afternoon session delved deep into the complexities of land issues in the DRC. The discussion elucidated the links between land issues, extractive industry practices and policies, agricultural policy, and the ways in which regional and local dynamics color land issues in different parts of the country. While the intractability of these issues became evident in the discussion, the panelists offered several policy and procedural recommendations to address and mitigate these challenges. Their discussion also acknowledged the importance of nuance in discussions of land issues in the DRC, which are too often essentialized around issues of mining or population density. Rather, the panelists emphasized that it is the *relationship and intersections* between the varied and regionally-specific drivers of conflict that need to be understood in order to advance a sustainable resolution to these issues. All panelists recommended more nuanced conversations on these topics in the future.

## 9: THE FUTURE OF DIPLOMACY AND PRIVATE SECTOR ENGAGEMENT



In this dynamic morning session, three prominent business leaders and a champion of human rights discussed the role of private sector leadership in promoting more prosperous, the roadblocks that poor business practices present for peace, and the ideal relationship between the private sector and political actors. The session began with an overview of best practices and opportunities for businesses and business leaders to promote prosperity and equitable growth, including specific examples of these practices. It then reviewed the constraints faced by businesses to promote equitable growth and build peace amidst political conflict, examining the ways in which businesses can navigate these constraints while acknowledging the limitations of the private sector to address political conflict meaningfully. The session concluded by examining this nexus between the private sector and government under the lens of international human rights, and the importance of this framework to understand the problems and opportunities of this

relationship. Finally, panelists took a step back from the national realm and turned to international fora, focusing in particular on how the Security Council can better advance human rights and how standards applied internationally to businesses can be applied internationally to governments.

The discussion on best business practices focused both on the values that engender good business practices and the communication approach through which businesses can express these values with integrity. One business leader described the primacy of the consumer's needs, the need for efficiency, and the mantra that "doing good is good business" as the three fundamental values upon which his business operates. In this instance, "doing good" included service endeavors such as funneling a portion of profits to foundations that provided meals during the pandemic, as well as job-promoting projects such as the sponsorship of micro-enterprises that provided sustainable employment. In





**Maurice Levy**

addition to providing funds for social service-oriented foundations, the creation of good, sustainable jobs emerged as a core theme of this session from a number of panelists. In one panelist's adapted version of a popular proverb, 'If you feed a person a fish, you feed them for a day. If you give them a fishing rod, you feed them for life. If you give them a pond in which to fish, you give them access to a livelihood.' According to the "pond principle," businesses act as a pond through which people are empowered by access to sustainable employment, entrepreneurship opportunities, and skill development.

In addition to discussing what businesses can do to further prosperity and equitable growth, panelists spoke about the traits that make for a good business leader and communicator in the 21st century. First and foremost, leaders should display respect

for consumers, for employee welfare, for difference in all its forms among people, and for the environment. Two examples of this were drawn out by panelists. First, one business leader developed a fund created from company profits and employees' bonuses to address unexpected needs that arose among his employees, ranging from significant medical bills to education costs. Second, another business leader noted his company's policy of "vive la difference" wherein differences—among staff, clients, partners, etc.—are celebrated and respected as a matter of principle. In both examples, policy follows principle, and values lead the way.

Panelists highlighted the importance of business leaders communicating adeptly in an age where social media and "fake news" have reconfigured the media landscape. The

ease and scale of misinformation spreading on social media is so pervasive that it is estimated that between 25 and 30 million messages per day are colored by hate and prejudice against certain identity groups, a scale so vast that even tens of thousands of people hired by Facebook to address the problem on its platform cannot stem this flow of hateful and misleading messaging. While artificial intelligence can filter out the most blatant and violent of these messages, by the time the unfiltered messages get to human checkers, the damage from their spread has likely begun to take its toll. The harm caused by misinformation and hateful messaging, as well as simple mistakes, errors, and lapses in judgment, can quickly erode a leader or company’s credibility and influence. One panelist enumerated rules to communicate effectively within this tumultuous media landscape: i) do not lie or twist words, even

by omission; ii) be cautious and reserved in the frequency and substance of social media content you produce; and iii) if there is something wrong, react to it immediately and communicate about it clearly. While these best practices and standards can act as guideposts for businesses to “do good” in an ethically dubious world, they are by no means straightforward to enact or siloed from other dynamics.

Indeed, panelists recognized the formidable constraints on businesses’ capacity to bring about societal transformation and peace. Businesses rarely have the resources or influence to address the political issues that drive unemployment, poverty, and conflict. One business leader opening a factory in Gaza noted that he received 11,200 applications for 130 positions, which shows both how valuable these jobs were to the community, but also



Zahi Khouri



how they were relatively negligible in addressing the scale of unemployment in the Gazan job market. It was noted that, while the private sector in the Occupied Palestinian Territories (OPT) can stimulate reconstruction and recovery efforts, these efforts would have much more weight if they were tied to a wholistic development and

on the one hand, and engagement in politics on the other, arguing that businesses can and should engage in the former but should avoid engagement in the latter. He argued that if businesses become enveloped in politics, they are susceptible to bribery and to backlash from political actors who perceive them as aligning with their opponents.

**“The ease and scale of misinformation spreading on social media is so pervasive that it is estimated that between 25 and 30 million messages per day are colored by hate and prejudice against certain identity groups.”**

political program. Business itself cannot hold up a credible peacebuilding process, though it can be an important piece of the puzzle. Furthermore, Palestinians’ lack of access to food, water, energy, and jobs are linked to the military occupation and therefore cannot be addressed fully through private sector innovation and growth. However, it was argued that the private sector should integrate into peacemaking efforts in a complementary manner that would end the occupation and bring about a durable resolution to the conflict. In addition, businesses should leverage the significant degree of available foreign assistance to build more resilient businesses. The private sector could also assist in driving innovations in diplomacy, which could in turn open new possibilities for a negotiated peace. Another panelist stressed the distinction between contributing to the creation and passage of pro-business policies

Additionally, many forceful government transitions simply replace one unresponsive government with another, and businesses could best serve society by centering their engagement on economic growth that develops a larger middle class, leading to a society with a vested interest in good governance.

Another example of a company navigating the political dynamics to bring positive change involved a private sector-sponsored communication strategy to build peace between Israeli, Palestinian, and Jordanian leaders. In this example, a media project that evoked the harm and pain experienced by all three groups was brought to fruition and approved by all three governments, with a team that expanded from three people per country to over fifty people per country. It culminated in a presentation

and gathering on the Dead Sea that reflected the good will present between team members and government leaders on all sides. However, soon afterwards Hamas won elections in the Gaza Strip and this goodwill—as well as the project—dissolved, reflecting the fragility of peacebuilding and ultimately the primacy of political dynamics in governing the trajectory of political disputes.

In a somewhat different vein, one panelist argued that a human rights framework, as stipulated in international human rights law and the International Declaration of Human Rights, provides the best guide for action to all three nodes of the golden triangle: business, government, and civil society. It was emphasized that this approach should be based on principles of ‘do no harm’ and the rule of law, noting that narcotics and the arms industry may provide jobs and income, but the ‘products’ from

these industries cause significant harm and lead to violations of human rights. Indeed, in Afghanistan, even farmers producing opium can become trapped in a toxic cycle with dealers in which the farmers are paid in advance by the dealers, become indebted to them, and suffer from abuse and manipulation resulting from this debt dependency. Similarly, the problem of child labor is complex, as families often depend on the income from this labor to provide basic necessities, and children can be quite productive laborers in trades like carpet weaving. However, a focus on rule of law in enforcing human rights is needed to ensure that unethical practices including child labor and environmental destruction can be effectively regulated and controlled. Relatedly, new plastic bag production industries recently developed in Afghanistan have provided jobs, but they undermine the efforts of many other countries moving to



Sima Samar



eliminate plastic bags due to the harm they cause to both maritime and terrestrial ecosystems. These problems reveal yet again the relationships between good governance, ethical business practices, and civil society engagement needed to address systemic societal problems. Finally, the role of corruption and discrimination prevent a truly inclusive society from emerging in developing and conflict-prone states. To continue with the Afghanistan example, corruption privileges those with connection to political leaders at the expense of everyone else, while gender discrimination drives physical, financial, and social harm against women and girls. Implementation of a human rights framework based on the rule of law and principles of do no harm, which incorporate the integrated approach symbolized in the Golden Triangle, could provide useful guidance to tackle problems as varied as child labor, environmental degradation, the narcotics and arms trade, corruption, and gender discrimination.

Finally, the panelists turned from the business, government, and civil society entities within a country to the international community and its potential to bring about peace. For example, one panelist believed the

Security Council could be more proactive and consistent in its provision of justice and advocacy of human rights. Relatedly, if the nonpermanent members of the Security Council formed a strong coalition advocating for a human rights agenda, the permanent members would find it politically difficult to resist. Panelists also noted that, just as businesses have developed standards of good practice and business ethics that transcend boundaries and have accountability mechanisms, such as ESG standards, so too should governments hold each other accountable to high ethical standards of good governance.

As a whole, this panel covered a wide and eclectic array of topics relating to business ethics, peacebuilding interventions, and human rights advocacy. The discussion acted at times as a practical guide for business leaders to act effectively and ethically to address drivers of conflict and destitution, and at others as a policy debate regarding the relationships between business, politics, and human rights. It reflects both the complexity of the challenges faced in aligning business and government to bring about positive outcomes, and the diversity of views and innovative potential present in this area.

**“If the nonpermanent members of the Security Council formed a strong coalition advocating for a human rights agenda, the permanent members would find it politically difficult to resist.”**

## 10: A CONVERSATION WITH JUAN MANUEL SANTOS



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**JUAN MANUEL SANTOS**

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NOBEL PEACE PRIZE WINNER

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In this closing session of the Executive Seminar, Former President of Colombia and Nobel Peace Prize Winner Juan Manuel Santos reflected on the reasons for opening a new peace process at the start of his presidency, as well as the roadblocks and breakthroughs he faced during the process. He also commented on the contemporary barriers facing implementation and the protests that have erupted across Colombia recently. Director of the Kent Global Leadership Program Jean-Marie Guéhenno and Dean of Columbia University SIPA, Merit Janow, moderated the discussion.

Mr. Santos began by noting that peace with the FARC had long been a priority for him, dating back to a conversation he had with Nelson Mandela in the mid-1990s in Johannesburg on the inextricable link between peace and prosperity. This led Mr. Santos to study peace processes in other countries and led him to three conditions that

he believed would be necessary to begin a peace process, and how each of them came to fruition. The first condition was to have a military balance of power in favor of the state. This was achieved earlier while he was Minister of Defense and created an incentive and urgency for FARC leadership to come to the negotiating table. The second condition was to convince the commanders of the FARC that they personally would be better off through a negotiated peace than through a continuation of fighting. This prerequisite was also accomplished through the use of military force, as the Colombian military had killed a number of high-ranking FARC commanders while Mr. Santos was Minister of Defense, putting pressure on those remaining to negotiate quickly or risk their own execution. Lastly, initiating a peace process required support—or at least an absence of opposition—from regional actors, most prominently then Venezuelan President Hugo Chávez and Ecuadorian President

Rafael Corréa. This condition was the only condition that was not present when Mr.

**“Mr. Santos leveraged his military background and connections to bring Colombian military leaders into the process, convincing them that this process and the potential for peace was the product of their fighting, and bringing in two high-level generals to join the negotiating team.”**

Santos became president, and therefore cultivating these relationships and convincing these leaders of the alignment of their interests with those of a peace process was an essential first step he made as president.

With these three conditions set to initiate talks, Mr. Santos outlined elements of his approach that he believes were crucial to the success of the talks. First, he recruited a team of personal advisors who would be neutral to Colombian domestic politics and included diplomats, politicians, ministers, academics, and intelligence professionals. This team provided him with practical perspectives and advice to see the broader picture of the peace process, which in turn

allowed him to keep perspective on the oscillating successes and failures of the day-

to-day process. Second, Mr. Santos leveraged his military background and connections to bring Colombian military leaders into the process, convincing them that this process and the potential for peace was the product of their fighting, and bringing in two high-level generals to join the negotiating team. He later noted that having a military background is not a prerequisite for gaining the trust of the military, but that they must be brought into the process and respect it. Third, drawing on the importance of regional support for the success of the peace process, Mr. Santos was able to request leaders such as Hugo Chavez to call FARC leaders in order to nudge the process forward. Additionally, the presence of the US Special Envoy and Europe’s



Juan Manuel Santos



special envoy to the process helped convince the FARC of the legitimacy of the process, the seriousness of the government, and the influence that external forces would bring to bear on implementing any agreement. Fourth, a premium was placed on secrecy, and Mr. Santos sent his own brother to convey to the FARC that any leak—a constant thorn in previous processes, given the harm the FARC could inflict on the government through leaks—would lead to an immediate end to the talks. This threat was effective and allowed secret negotiations to develop an agenda for formal talks. Fifth, Mr. Santos decided not to request a ceasefire during talks, even though his military asked for one. His reasoning for this decision was borrowed from former Israeli Prime Minister Yitzakh Rabin, who stated in his decision not to request a ceasefire while in talks with former PLO Chairman Yasser Arafat, “I will fight terrorism as if there is no peace process, and I will negotiate peace as if there is no terrorism.” This decision elevated the political risk, as every attack on government forces by the FARC during negotiations would cause a surge in domestic calls to end negotiations. However, it was necessary to maintain the urgency of talks and the incentive for the FARC to stay at the negotiating table. Lastly, the peace process was negotiated under the auspices of the Rome Statute, which stipulated that the rights of the victims should be included in the negotiated settlement. This approach not only

won the support of the international community, but gave the process more legitimacy among victims.

In addition to highlighting the key decisions that allowed for success in the negotiations, Mr. Santos recognized mistakes wherein he would have taken a different path. First, he regrets not negotiating all five points of the agreement simultaneously. By taking each in turn sequentially, the agreement was not finalized until 2016, at which point Mr. Santos’s second term as president was nearing completion and he did not have much time to begin implementation. When his political opponents took power in the following election, they were hostile to the agreement, and though they were obligated by the Colombian Constitution and international commitments to implement it, they did so reluctantly, slowly, and haphazardly. Mr. Santos fully believes this failure to implement the accord has played a significant role in the protests that faced the country in 2019 and the current protests, both of which have focused on issues of inequality and social reform that would be addressed in the agreement. Ironically, the signing of the political agreement opened up civic space for protesting the government, as the public could partially turn away from the problem of the FARC and focus their attention on grievances against the government. A second error Mr. Santos identified was not correcting misinformation about the accord prior to the plebiscite early enough or loudly enough. In



particular, a talking point that gained sway among those opposed to the agreement was that the chapter of the agreement highlighting the importance of women’s issues was in fact a disguised platform for a “gender ideology” that would destroy the institution of the family in Colombia. This falsehood spread rapidly and gained credence within Catholic and Evangelical clergy, many of whom publicly denounced the accord as a result. Indeed, this point was so influential that, in a poll conducted after the plebiscite, 35% of the people who voted against the agreement reported that they did so because of this fear of the “gender ideology” and its potential to destroy the Colombian nuclear family.

Beyond procedural and tactical successes and challenges, Mr. Santos extrapolated on the core dynamics inherent in the agreement itself. First, a strength of the agreement is that it addresses the root causes of the violence, namely inequality (Colombia

has the most unequal distribution of land in the world) and the need for rural reform. This was seen as a significant concession by some—including FARC members—but is in fact good policy that addresses pressing political, social, and economic issues in Colombia. For this same reason, implementation of these provisions holds even more relevance in the wake of the economic devastation wrought by the pandemic and the need to rectify inequalities whose impacts are now even more stark. At the same time, the pandemic also provides an opportunity to harness the potential of the peace agreement, which can be seen as a roadmap for moving Colombia towards internal dialogue and a more just and equal society. Second, the agreement is the first in history where both parties agreed to create and submit to a transitional justice system. On the other hand, many Colombians perceived the system as too lenient, and the government negotiators had to walk the line





between a justice process acceptable to the FARC leaders—who would not have accepted an agreement that sent them straight to prison—and one that provided a process of justice for victims. Mr. Santos reflected on the difficulty of drawing the line between peace and justice, reflecting that there will be criticisms wherever the line is drawn. His government had to convince the public that the transitional justice system created was the lesser evil compared to the continuation of war. The third dynamic was the eclectic and often clashing personalities and viewpoints of Mr. Santos’s negotiating team, a dynamic he referred to as ‘negotiating among the negotiators’ in order to present a coherent government position to the FARC. He stressed the importance of his team of personal advisers in treading through these disagreements and placing them in the broader framework of the peace process.

Finally, Mr. Santos provided recommendations for advancing the agreement’s implementation in Colombia today. Mr. Santos put a spotlight on the Security Council’s role to apply pressure on the current Colombian government to fulfill its international obligation to implement the agreement, noting that this is the most decisive factor for the agreement’s implementation. He further praised the UN for its assistance in implementing Disarmament, Demobilization, and Reintegration provisions of the agreement, and disagreed with the oft-held view that

governments should resist UN entry into negotiations because it limits the negotiating power of the government. Additionally, he noted that the FARC members who remain noncompliant with the agreement—accounting for only 8% of former FARC members—present a significant problem but should not be an overstated threat, as they tend to elicit more noise than is actually warranted for them. Lastly, Mr. Santos re-emphasized that the current protests in Colombia are the result of longstanding social issues, inequality foremost among them, and that the current government has an opportunity to address these issues in its response to the pandemic through the mechanisms made available in the peace agreement. He predicts that the next election cycle will see bold reformist policies set forth as a result of this dynamic.

Mr. Santos began with a reflection that holds as a lesson applicable to all those who aim to bring about a durable and just peace in the places where intractable conflict and violence persist. When beginning his presidency, he knew that initiating a peace process was politically risky and would lead many of those who voted for him to view him as a traitor to the iconic military hero for which they perceived and valued him. Despite this political risk, he knew that for the rest of his life he would regret a choice *not* to try to make peace. In all negotiations, leaders must show political courage and take risks to bring about durable peace.