



ARE YOU READY TO NEGOTIATE? THE CHALLENGES OF PEACE TALKS WITH COLOMBIA'S NATIONAL LIBERATION ARMY

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Abstract:

This article examines the factors that influenced the ELN's readiness to commit to a settlement during the Colombian peace process of 2023–24. By analysing structural changes within the ELN between 2016 and 2024, the study identifies four key variables: territorial occupation, resources and capabilities, internal cohesion, and alliances. Using a comparative conflict research design and qualitative approach, the study highlights the ELN's transformation following the FARC-EP's demobilisation in 2016, and assesses the implications of these changes for President Gustavo Petro's “Paz Total” peace initiative. The study concludes that the ELN is not yet structurally prepared for unified peace negotiations, which casts doubt on the success of the 'Paz Total'.

Keywords: Colombia, National Liberation Army, “Paz Total”, ripeness.

Titulo en Español: *¿Listos para negociar? Los retos de las conversaciones de paz con el Ejército de Liberación Nacional de Colombia*

Resumen:

Este artículo examina los factores que influyen en la disposición del ELN a comprometerse con un acuerdo en el proceso de paz colombiano de 2023-24. Al examinar los cambios estructurales dentro del ELN entre 2016 y 2024, este estudio analiza cuatro variables clave: ocupación territorial, recursos y capacidades, cohesión interna y alianzas. Mediante un diseño comparativo de investigación sobre conflictos y un enfoque cualitativo, esta investigación destaca la transformación del ELN tras la desmovilización de las FARC-EP en 2016 y evalúa las implicaciones de estos cambios para la iniciativa de paz “Paz Total” introducida por el presidente Gustavo Petro. El estudio concluye que el ELN aún no está estructuralmente preparado para unas negociaciones de paz unificadas, lo que pone en duda el éxito de la iniciativa “Paz Total”.

Palabras Clave: Colombia, Ejército de Liberación Nacional, “Paz Total”, madurez.

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1. Introduction

Throughout its history, Colombia has experienced periods of violence that have claimed a large number of victims. From 1946 to 1958, there was a critical period of national chaos that reflected a prolonged crisis of governance known as “La Violencia”³. It is estimated that approximately 200,000 Colombians were murdered until 1962⁴. From 1958 onwards, a political oligarchy was created by the liberal and conservative parties, called the National Front (Frente Nacional), which was characterised by a marked alternation of power, making any kind of different political expression impossible and giving way to the continuation of repression and violence⁵. It was out of this long period of political crisis that the initiative of rebellion developed.

Thus, in 1962, in Havana, Cuba, the movement “Brigada pro Liberación Nacional José Antonio Galán” emerged. Made up of seven Colombian students and led by Fabio Vásquez Castaño, its aim was to promote revolution and organise armed resistance on their return to Colombia⁶. In July 1964, the first guerrilla group of the National Liberation Army (Ejército de Liberación Nacional - ELN) appeared in Colombia at the municipality of San Vicente de Chucurí, Santander. However, it was not until January 1965 that the movement made its first public appearance in Simacota. This nascent revolutionary movement adopted a political-military strategy, rather than a partisan one, which gave it a belligerent status. On the one hand, its military strategy is based on the theory of “foco” or “foquismo” taught in Cuba.

On the political side, in its early stages a nationalist and anti-oligarchic discourse stood out, far from the Marxist discourse characteristic of the Colombian left at the time⁷. It built its socialist pillars on marginalised populations, gaining local rural community support and a strong legitimacy based also on the religious actors who joined the movement, such as the priest Camilo Torres Restrepo. At the end of the 1970s, due to a series of internal crises within the organisation, there was a progressive radicalisation of the political discourse towards a more classical Marxist-Leninist perspective. In addition to the abandonment of its original political ideology, its internal cohesion was also affected by various abuses of power. Thus, it moved from a centralised model of action to a federalist, polyarchic and regionalised system with an organisational structure that included elements like those of a political party. The highest strategic decision-making body was the National Congress. The Central Command together with the National Directorate (DN), was the leadership body⁸.

The objective of this comparative conflict research based on a time perspective between 2016 and 2024 is to assess whether the ELN's structural set-up has experienced substantial modifications by 2023-2024 in relation to four key variables: territorial occupation, resources and capabilities, internal cohesion, and alliances. The year 2016 was chosen as a reference point because it was the year in which the peace agreement was signed with the Colombia's largest guerrilla group and the ELN's main rival, the FARC-EP. The transformation since then of the

³Bushnell, David (2007): *Colombia. Una nación a pesar de sí misma*, Bogota, Planeta. Centro Nacional de Memoria Histórica (2013): *¡Basta ya! Colombia, memorias de guerra y dignidad informe general*, Bogota, CNMH.

⁴Guzmán, Germán; Fals, Orlando y Umaña, Eduardo (1962): *La Violencia en Colombia*, Bogota, Tercer Mundo. Valencia, Alberto: “La Violencia en Colombia de M. Guzmán, O. Fals y E. Umaña y las trasgresiones al Frente Nacional”, *Revista Colombiana de Sociología*, vol. 35, n° 2 (2012), pp. 15–33.

⁵Ríos, Jerónimo (2021): *Historia de la violencia en Colombia, 1946-2020. Una mirada territorial*, Madrid, Sílex Ediciones.

⁶Medina, Carlos (2019): *Ejército de Liberación Nacional (ELN). Historia de las ideas políticas (1958-2018)*, Bogota, Universidad Nacional de Colombia.

⁷Vargas, Alejo: “Una mirada analítica sobre el ELN”, *Revista Controversia*, vol. 173 (1998), pp. 101-119.

⁸Villamizar, Darío (2017): *Historia de las guerrillas en Colombia*, Bogota, Debate.



ELN's structure, marked by the ongoing “Paz Total”⁹ peace process initiated in October 2022 under President Gustavo Petro's tenure, provides valuable insights into assessing the insurgent group's readiness to engage in conflict resolution. The focus on the ELN is crucial because, unlike the FARC-EP, it has not settled yet, making it the oldest guerrilla group in South America, with 60 years of existence to date, and the last remaining guerrilla in the Country.

By proposing and assessing a series of factors that explain the ELN's degree of readiness to commit to an agreement in the current Colombian peace process, this article addresses in a more structural way the question of why, at the time of writing, such an agreement remains unfulfilled, without falling into the trap of a *posteriori* tautological explanations. As such, this study acknowledges and seeks to address the limitations inherent in the grounding theory of ripeness developed by Zartman¹⁰ and its extension, the readiness theory proposed by Dean Pruitt¹¹ and further expanded upon by Amira Schiff¹². While these theories provide an effective approach to conflict resolution, they also present challenges that this research attempts to overcome. The theory's limitations will be identified, addressed, and integrated in an open and ongoing discussion. This process involves an attempt to operationalise the theory within a rational social context involving a mixed approach of quantitative and qualitative data.

Due to the inherent limitations of a bachelor's thesis in terms of length and scope, it is crucial to note that this research will focus exclusively on exploring the internal dynamics of the ELN and not on examining the internal dynamics of the government. However, this paper recognises the inherent interrelationship between the two actors. For example, an analysis of aspects such as territorial control or resource acquisition will naturally involve an analysis of the state and its ability to control the subversive group. Therefore, aspects of the state structure are considered part of the situational context that could either facilitate or hinder the ELN's readiness to resolve the conflict.

The knowledge gained by examining the feasibility of successful negotiations can inform policymakers, peacebuilding practitioners, and parties involved in designing appropriate strategies and interventions to facilitate a sustainable conflict resolution. From an academic perspective, the study of the ELN's structure and its readiness to negotiate peace based on that structure constitutes an innovative contribution to expanding knowledge about the operationalisable variables (quantitative and qualitative) that can influence the readiness of the parties to reach an agreement. The above, allowing an understanding of the dynamics of armed groups with the same characteristics as the ELN, such as a binational guerrilla group with a federal structure.

To accomplish the objectives of this paper, it will begin by providing an overview of the existing research panorama, encompassing different perspectives on the Colombian conflict, peace processes, and contributions on the basis theory for conflict resolution that will be used. Thus, transitioning from the ripeness theory to its expansion, the readiness theory. Within the theoretical framework, the core aspects of the readiness theory will be presented along with significant aspects of ripeness that, from the perspective of this paper, can complement the

⁹ Ríos, Jerónimo and Cairo, Heriberto: “Elites y discurso político sobre la “paz total” en Colombia”, *Canadian Journal of Latin American and Caribbean Studies*, vol. 49, n° 3 (2024), pp. 344-365.

¹⁰ Touval, Saadia and Zartman William (1985): *International Mediation in Theory and Practice*, Boulder, Westview Press. Zartman, William (2009): *The Timing of Peace Initiatives: Hurting Stalemate and Ripe Moment*, Washington DC, United States Institute of Peace

¹¹ Pruitt, Dean: “Whither Ripeness Theory?”, 2005, Fairfax, Institute for Conflict Analysis and Resolution-George Mason University.

¹² Schiff, Amira: “Readiness Theory: A New Approach to Understanding Mediated Pre-negotiation and Negotiation Processes Leading to Peace Agreements”, *Negotiation and Conflict Management Research*, vol. 14, n° 1 (2021), pp. 21-39



grounding theory, as well as the way in which this research understands the readiness theory. Drawing from the literature review and the theoretical framework, research gaps are identified that this paper aims to address, such as the lack of variables that shed light on when a party is ready to settle and the lack of research on the ELN. The operationalisation of the variables and data collection methods are presented in the following section. Subsequently, the case study will delve into the ELN's structural evolution from 2016 to 2024. The data presented within this segment will lay the basis for interpreting alterations in the ELN's structure and their effect on its readiness to embrace the “Paz Total” proposal in the forthcoming analytical section and concluding section. To begin with, the following section provides a comprehensive overview of the existing research on the topic of interest.

2. Theoretical discussion

The Ripeness theory, developed by Zartman¹³, provides a framework for understanding conditions that make conflicts suitable for resolution. This theory essentially proposes that interventions or negotiations in violent conflicts are more likely to succeed under specific situations and timing. This is called the Mutually Hurting Stalemate (MHS), a term used to describe a critical point in a conflict where both sides realize they are stuck in a damaging situation (high costs and lack of success) and cannot escalate further (win the conflict through military force). This sense of being trapped in a painful situation prompts parties to look for an alternative path of resolution or a Way Out (WO), especially if there is a recent or impending crisis.

In addition, Mitchell¹⁴ proposed two levels of analysis: systemic and decision-making to the ripeness theory. This approach is seen as essential to gain a deeper comprehension of how structural factors impact the preferences of the involved parties. The first layer of analysis, the systemic level, concentrates on assessing whether the structural conditions of the parties are numerous and sufficient to achieve reconciliation. Generally, this set of favourable conditions can occur on multiple occasions, particularly in the context of a prolonged conflict such as Colombia's. These conditions can vary, depending on factors like the relationships between adversaries and external influences. When these conditions diverge from one another, they can complicate the negotiation process.

On the other hand, the second level of analysis is based on decision-making in which a change of mentality is presented so that the structural variables found in the first analytical level influence the behaviour of the parties involved. Mitchell¹⁵ also discusses the concept of internal maturity, which refers to the internal factors within the parties that influence their willingness to reconcile like their internal cohesion, and external maturity, which refers to the external conditions surrounding the conflict.

The ripeness theory also faces numerous limitations at both conceptual and methodological levels. One of the key concerns is the lack of operationalisation¹⁶, which makes empirical measurement and objectification of the “ripe” moment difficult. The absence of a clear framework for action has further weakened the predictive capacity of the theory¹⁷. Scholars also noted a tautological problem in the theory, where a peace process is considered

¹³ Zartman, *The Timing of Peace*, *op.cit.*

¹⁴ Mitchell, Christopher: “Evitando daños: Reflexiones sobre la situación de madurez de un conflicto”, *Documentos Gernika Gogoratuz*, vol. 9 (1996), pp. 1-22.

¹⁵ *Ibid.*

¹⁶ Ríos, Jerónimo and Hidalgo, Manuel: “Entre la lucha armada y la paz: una aproximación a la madurez del conflicto armado colombiano (1982-2016)”, *Ayer. Revista de Historia Contemporánea*, vol. 128, n° 4 (2022), pp. 285–313.

¹⁷ O’Kane, Eamonn: “When Can Conflicts be Resolved? A Critique of Ripeness”, *Civil Wars*, vol. 8, n° 3-4 (2006), pp. 268–284



successful when it is ripe, but failure is attributed to insufficient ripeness¹⁸. Moreover, it focuses on rational factors, lacking non-rational aspects that includes factors such as power relations between rival sides and their acceptance by society¹⁹.

A further limitation is its binary approach (between the two conflicting parties), which neglects the role of other actors in conflict resolution²⁰. The ripeness theory adequately explains why parties might choose to negotiate in situations where both sides of a conflict are stuck without hope of winning. Nonetheless, this theory does not fully explain how negotiations start when at least one party is not feeling trapped. In these cases, negotiations might begin due to other reasons, like perceived threats, increasing costs, opportunities, involvement of third parties²¹ or false readiness²², rather than just feeling stuck.

This research recognises and attempts to address, overcome and internalise some of the limitations associated with the basic theory by building upon Zartman's work. The challenges of measuring ripeness and the importance of qualitative analysis in assessing parties' perceptions have been discussed²³. This, along with other factors, has led to the development of the readiness theory, the framework used to support this research Pruitt²⁴ described readiness as an elaboration on Zartman's ripeness theory and replaced MHS with "motivation" and WO with "optimism". He pointed out that his intention was not to take a different path, but to continue in the same initial direction. Pruitt's readiness model was introduced to address some of the limitations associated with the ripeness theory.

Ripeness characterizes the "ripe" moment as a "black box", assessing it as either it exists, or it does not. Readiness takes a deeper look inside that situation, exploring what is going on within the parties involved and how they interact²⁵. The application of "variables" within the readiness theory enables the systematic monitoring and comparison of changes over time. In contrast, ripeness theory employs "states" rather than variables, posing challenges for researchers in identifying and tracking changes²⁶. Pruitt²⁷ (2007) proposes the use of the same variables to explain both entry into negotiation and progress towards agreement. Once the parties have reached a certain level of readiness to join the negotiations, additional levels are needed for them to stay in negotiation (ibid.) and to reach an agreement²⁸. Readiness is a characteristic of a party reflecting the thinking of its top leaders regarding an adversary²⁹.

In order to achieve readiness, the theory identifies two psychological variables that determine a party's willingness to negotiate: their motivation to end an intractable conflict, and

¹⁸ Kleiboer, Marieke: "Ripeness of Conflict. A Fruitful Notion?", *Journal of Peace Research*, vol. 31, n° 1 (1994), pp. 109-116. Connolly Eileen and Doyle, John: "Ripe moments for exiting political violence: An analysis of the Northern Ireland case", *Irish Studies in International Affairs*, vol. 26 (2015), pp. 147-162

¹⁹ Frank, Kevin: "Ripeness and the 2008 Djibouti-Eritrea Border Dispute", *Northeast African Studies*, vol. 15, No. 1 (2015), pp. 113-138

²⁰ Mouly, Cecile and Delgado, Esperanza: "Public participation in peace negotiations between the Colombian government and the National Liberation Army (ELN): An opportunity to redress power asymmetry and enhance the insurgents' readiness", *Conflict Resolution Quarterly*, vol. 40, n° 1 (2022), pp. 7-23

²¹ Schiff, "Readiness Theory, *op.cit.*

²² Schwartz, Ady and Gilboa, Eitan: "False Readiness: Expanding the Concept of Readiness in Conflict Resolution Theory", *International Studies Review*, vol. 23, n° 4 (2021), pp. 1328-1348

²³ Kleiber...*op.cit.*, Mitchell...*op.cit.* Stedman, Stephen: "Spoiler Problem in Peace Processes", *International Security*, vol. 22, n° 2 (1997), pp. 5-53.

²⁴ Pruitt, *Whither Ripeness, op.cit.*

²⁵ Schwartz and Gilboa, "False Readiness, *op.cit.*

²⁶ Schiff, "Readiness Theory, *op.cit.*

²⁷ Pruitt, Dean: "Readiness Theory and the Northern Ireland Conflict", *American Behavioral Scientist*, vol. 50, No. 11 (2007), pp. 1520-1541

²⁸ Schiff, "Readiness Theory, *op.cit.*

²⁹ Pruitt, "Readiness Theory, *op.cit.*



their optimism about the outcome³⁰. Motivation may arise from any or all the following conditions: the feeling that the conflict cannot be won, a sense that the conflict incurs unacceptable political and economic costs or risks, and pressure from a powerful third party³¹. Schiff³² argues that more than one of these three conditions are essential for the parties to reach the necessary level of readiness to reach an agreement.

Building upon the foundational elements of the readiness theory while also integrating insights from the ripeness theory, this study interprets the readiness theory as follows: It will encompass measurable variables such as territorial expansion, resources, capabilities, and alliances with other entities, alongside a qualitative variable representing the symbolic aspect. The qualitative variable encompasses the level of internal cohesion the guerrilla shows. These variables will be examined within a single party to measure its internal maturity, while considering the structure of the opposing party as a contextual factor influencing the ELN's decisions, denoting external maturity. By delving into these variables, the study enables a comparative analysis before and after significant external events, such as the signing of the peace agreement with the FARC-EP.

It remains to point out how the predominant emphasis of Colombian peace initiatives and academic discourse on centrally organised groups³³, underlines the need for a more detailed study of the ELN's situation and structure. This is essential if the national counter-insurgency strategy is to take a closer look at this case of “failed” conciliation with the last remaining guerrilla in the country. Cortés and Cerón³⁴ assert that the integration of peripheral regions into the nation remains a crucial objective. They also emphasise the importance for the ELN of building influence from the grassroots, highlighting the role of national civil society and marginalised groups in promoting sustainable peace³⁵.

Finally, time has shown that it is not possible for the guerrillas to come to power by military means, nor for the state to eradicate them by the same means. This was not the case even during the Pastrana and Uribe governments, when military action was maximised with the help of the United States reducing substantially the operational capability of the guerrillas at the national level³⁶. In sum, an examination of the ELN's dynamics and structure is essential to refining the specific national counterinsurgency and peace strategy for federalised armed groups, which are integrated into civil society.

3. Methodological aspects

This study utilizes a time-based comparative conflict research design. It encompasses two case studies that revolve around the same actor, the ELN, and explore the same four variables, territorial occupation, resources and capabilities, internal cohesion, and alliances, in two different timeframes. The first case study encompasses data on the variables up to 2016,

³⁰ Pruitt, *Whither Ripeness*, *op.cit.*

³¹ Pruitt, “Readiness Theory”, *op.cit.*

³² Schiff, “Readiness Theory”, *op.cit.*

³³ Chernick, Mark (2009): *The FARC at the Negotiating Table*, Washington, United States Institute of Peace Press. Idler, Annette (2019): *Borderland Battles*. New York: Oxford University Press. Kaplan, Oliver (2017): *Resisting War*, New York: Cambridge University Press. Nussio Enzo and Howe, Kimberly: “What if the FARC Demobilizes?” *Stability*, vol. 1, n° 1 (2012), pp. 58-67. Segura, Renata and Mechoulan, Delphine (2017): *Made in Havana: How Colombia and the FARC Decided to End the War*, New York, International Peace Institute. Ugarriza, Juan and Matthew Craig: The Relevance of Ideology to Contemporary Armed Conflicts. *Journal of Conflict Resolution*, vol. 57, n° 3 (2013), pp. 445-477

³⁴ Cerón, Alejandra and Cortés, Darío (2019): *Negociando con el ELN: Una mirada desde su complejidad*, Bogota, Sello Editorial ESDEG

³⁵ Bouvier, Virginia (2009): *Colombia: Building peace in a time of war*, New York, United States Institute of Peace Press.

³⁶ Ríos, *Historia de la violencia*, *op.cit.*



coinciding with the FARC-EP's demobilisation, while the other extends from that juncture to July 2024. This study adopts a theory-driven case study design and uses a mixed methods approach, combining qualitative and quantitative data analysis. On the qualitative side, this study extensively reviews the existing literature on the Colombian conflict and the ELN's structure, including journal articles, monographs, and essays. This comprehensive analysis explores the status of the topics under consideration. It also examines statements made by both government and insurgent actors, providing valuable insights into the ELN's internal cohesion and its interactions with other stakeholders in the conflict. On the other hand, the quantitative aspects come from the use of statistical figures and numbers that shed light on the first two variables used: territorial expansion and resources and capacities.

The four variables that make up the independent variables have been identified through an extensive literature review and are important for this paper because they allow for a comparative analysis of structural changes within the ELN after 2016 in order to assess its readiness for a peace agreement. The latter represents the dependent variable. More importantly, the analysis that these variables allow is in line with the conditions proposed by the readiness theory. For example, to shed light on fluctuations in costs and risks, and thus on the prospects of winning.

The variables are to be measured as follows: first, territorial occupation is measured by the ELN's municipal presence and expansion in Colombia, which provides an insight into the geographical areas controlled or influenced by the group. Resources and capabilities include financial resources, the number of subversives and armed actions. Internal cohesion is assessed by considering factors such as the command structure and leadership dynamics within the ELN. Finally, alliances will examine the group's relationships with other actors, such as civil society, neighbouring countries, and illicit networks. The nature and strength of these alliances can shape the ELN's negotiating power and strategic choices. The variables presented are interrelated and provide valuable insights into the group's capabilities, motivation, optimism, and potential obstacles to a successful resolution.

Additionally, potential difficulties in measuring and interpreting the four variables must be considered, including issues related to the availability and reliability of data. It is therefore noted that some data may be limited due to the sensitivity of the information in the context of armed conflict. Several sources may contain partial or estimated data rather than accurate statistical and econometric data, as the figures found are only the cases reported in a context where most victims do not report their cases due to fear, intimidation, or lack of trust in local authorities. Having presented the background to the Colombian conflict, the theoretical and methodological approach, and the research puzzle, the following sections present the case studies, which are divided into two time periods.

4. The structure of the ELN until 2016

Before moving on to the variables, it is necessary to situate the Colombian context in which the ELN finds itself, i.e., its most recent and relevant relationship with the Colombian government until 2016, and what has been agreed with this guerrilla group in terms of peace up to that point. During Álvaro Uribe's two terms as president (2002-2010), the use of military force against guerrilla groups, particularly the FARC-EP, intensified. Uribe, in turn, suggested to his successor, Juan Manuel Santos, who had been his trusted defence minister, that he would continue the hard line against the guerrillas as planned during his new presidential term.



To Uribe's and the country's surprise, Santos took a different approach, declaring in his inaugural speech on 7 August, 2010 that “the door to dialogue is not closed”³⁷. He emphasized his government's desire to sow the seeds of genuine reconciliation among Colombians and expressed openness to talks aimed at eradicating violence and building a prosperous, equitable, and just society. Santos maintained that certain conditions, such as the renunciation of arms, kidnapping, drug trafficking, extortion, and intimidation, must be met for the dialogue to proceed. Despite the complexities and challenges, after four years of negotiations, a historic peace agreement was finally signed in August 2016 between the Colombian government and the country's largest insurgent group, the FARC-EP³⁸.

However, Santos' claim that “Colombia is experiencing a new dawn and a more promising future because it is now free of the terrible weight of its armed conflict” (Santos, 2017, p. 12) did not fully materialize, mainly due to the lack of a similar agreement with the ELN, which became Colombia's main insurgent movement after the peace agreement in 2016. After eight years of military offensive (Uribe's terms) and regional political changes, the ELN adopted the negotiated political solution as a priority in its political strategy to end the armed conflict and decided to join peace conversations with the government. The peace process with the ELN, which began in 2014 under conditions of confidentiality, was characterized by notable differences from the process with the FARC-EP. A central feature was the focus on social participation, with the ELN seeking to change the political system and public policies through engagement with society (bottom-up) and not seeking for seats at congress of the republic.

The peace process with the ELN, initiated under the Santos administration, made significant progress compared to previous attempts. Unlike most of the ELN's involvement in the exploratory phases of previous peace processes, this time it reached the stage of peace negotiations. The parties agreed on a negotiating agenda, began public talks in 2016, and implemented a bilateral ceasefire that lasted more than three months. Public hearings were held as a preliminary exercise of public participation, reflecting the ELN's desire to influence the state and promote structural reforms. Nevertheless, challenges arose during the peace process, including citizen participation, rebuilding of trust, and political campaigns against the peace agreement. Moreover, the ELN's decentralized structure created additional complexities in negotiating and building a cohesive agenda³⁹.

Despite these challenges, the Santos government's commitment to discuss public participation in the peace agenda strengthened the ELN's optimism and motivation to negotiate a satisfactory resolution to the armed conflict. This materialized during the sixth cycle of talks between Santos' government and the ELN, where emphasis was placed on the first point of the agenda, the “participation of society for the construction of peace”. With the transition to the new government of Ivan Duque, the implementation of these initiatives was left pending approval. Before moving on to the second case study of this paper, which will discuss the continuation of the peace process with the ELN and subsequent presidents, the following sections will examine the data on structural factors that have influenced the ELN's approach to the conflict until 2016, starting with its geographical expansion.

³⁷ Santos, Juan Manuel: “Discurso de Juan Manuel Santos: 'Le llegó la hora a Colombia’”, *Caracol Radio*, 7 August 2010, at https://caracol.com.co/radio/2010/08/07/nacional/1281194040_338154.html

³⁸ Ríos, Jerónimo: “El Acuerdo de paz entre el Gobierno colombiano y las FARC: o cuando una paz imperfecta es mejor que una guerra perfecta”. *Araucaria. Revista Iberoamericana de Filosofía, Política y Humanidades*, vol. 19, n° 38 (2017), pp. 593-618.

³⁹ Herrera, Eduardo (2021): *¿Un proceso de paz inútil?*, Bogota, Planeta.



4.1. Territorial occupation

A contextualisation of Colombia's size and geographical division is essential to understand the complexity of the territorial expansion of the armed conflict with the ELN. Colombia is the seventh largest country in America, covering a vast area of 1,141,748 square kilometres. Colombia's 1991 Political Constitution divides the nation into 32 departments, with approximately 1,123 municipalities. In examining the dimensions of the conflict with the ELN, these geographic and administrative factors will serve as essential reference points for understanding how the ELN's activities and influence may vary from department to department, reflecting different socio-political landscapes and resources.

Looking at the ELN's evolution over a 15-year period, it becomes evident that there has been a remarkable and accelerated change in the number of municipalities occupied by this guerrilla group. It can be seen how its expansion until the early 2000s was flourishing. However, from the mid-1990s, the paramilitary or self-defence groups known as the Autodefensas Unidas de Colombia (AUC), managed to dismantle the ELN's stronghold. As a result, the ELN's territorial influence began to diminish, especially in the central part of the country, as well as in large cities including Barrancabermeja, Cúcuta and Medellín. During the period of 1999 to 2002, the ELN's territorial presence and control amounted to 169 municipalities⁴⁰. However, this figure dropped significantly to 85 between 2003 and 2006, representing almost a 50% reduction. The decline in territorial occupation was not solely due to confrontations with narco-trafficking groups; the military-led efforts against the ELN during the presidencies of Pastrana and Uribe also played a significant role, even though the primary target was the larger rebel group, FARC-EP⁴¹.

In addition, an interesting observation can be made in 2006, where the ELN, despite decreasing territorial occupation, managed to restructure its war fronts, going from five consolidated war fronts in the 1990s (northwestern, northern, northeastern, southwestern, and central) to six war fronts: northwestern, northern, northeastern, western, eastern, and southwestern. Two new war fronts emerged, one in the eastern region, located mainly in Arauca, and the other in the western region. This front is the result of the geographical division of the southwestern front. The northwestern front, later named Darío Ramírez Castro, was located mainly in the southern regions of Bolívar and Antioquia. At the same time, the central war front in Cundinamarca, already weakened in the late 1990s, substantially disappeared.

By 2010, a significant shift in the territorial presence of the ELN became evident. In 1995, the ELN had a presence in 19 departments across Colombia. However, by 2010, their territorial influence was drastically reduced, and they were active in only ten departments, with strong position in only 7 departments: Norte de Santander, Chocó, Cauca, Nariño, Arauca, south of Antioquia and Guajira. This decline resulted in the loss of territorial control over key central regions of Colombia, including Santander, Tolima, Risaralda, and part of Antioquia⁴².

By 2016, the ELN had regained some of the territory it lost in the early 2000s. Although it did not fully regain its former territorial control, the group was able to expand its presence to eleven Colombian departments with 112 municipalities. On the other hand, only five war fronts remained (Eastern, Northeastern, Western, Southwestern, and Darío Ramírez Castro).

⁴⁰ Ríos, *Historia de la violencia, op.cit.*

⁴¹ *Ibid.*

⁴² Echandía, Camilo (2006): *Dos décadas de escalamiento del conflicto armado en Colombia 1986- 2006*, Bogota, Universidad Externado.



their armed actions. According to Barco and Arana⁴⁷, subversive actions refer to hostile activities carried out by subversive groups, which may target the police institution and, in some cases, the civilian population. Such actions can include assaults and raids on the population, attacks on aircraft, facilities, illegal checkpoints, armed encounters, ambushes, and harassment. In 2013, a total of 156 subversive actions were reported, with the ELN being responsible for 19 incidents, marking a 14% decrease compared to the 22 cases attributed to them in 2012.

Regarding terrorism acts, data from Barco and Arana⁴⁸ indicates that the ELN was responsible for 27 out of 680 cases reported in 2013. This accounts for 4% of the total incidents for that year. The Uppsala Conflict Data Program (UCDP) reveals that between 1996 and 2016, the conflict with the ELN in Colombia resulted in 3,385 deaths, attributed to combat, or direct actions against civil society. Out of these fatalities, confrontations between the Colombian government and the ELN accounted for 2.707 deaths. The highest number of these confrontations occurred in Norte de Santander and Antioquia, contributing to 35% and 27% of the total deaths, respectively. Additionally, the data program also highlights confrontations between the AUC and the ELN, resulting in 229 deaths mainly between 1997 and 2004, as well as the ELN's perpetuation of unilateral violence against civilians, which resulted in a total of 449 cases between 1996 and 2016. 86% of the attacks took place from 1998 to 2003, with the peak being in the year 2000⁴⁹.

The ELN's capabilities showed interesting patterns over time. After a brief intensification of violent actions following the breakdown of exploratory dialogues with the Uribe's government in 2008, the ELN significantly reduced its violent activity by the end of 2009. This decline coincided with the new presidential candidacy of President Juan Manuel Santos in 2010 during which combats with the military force also decreased. Subsequently, the ELN maintained relatively low levels of armed activity, which gradually increased until the start of dialogues with the FARC-EP in November 2012. However, on January 27, 2014, as the Government and the ELN began exploratory dialogues, offensive actions, and combats with the ELN intensified rapidly. By June 2014, the level of ELN offensive actions reached its peak, tripling the number of actions compared to the period of decline in 2009. Since then, the ELN has maintained high levels of violence, with marginal reductions, which are apparently contradictory to a negotiating context. The ELN's high levels of violence, together with its refusal to renounce kidnapping, as well as other factors, led to a delay of more than two years in the start of the peace process with this guerrilla group.

Thus, at the end of the 1990s, the ELN exhibited a relatively high or comparable capacity for action and combat in Colombia and in major urban centres like Bogotá, Medellín, Cali, and Pereira. This situation experienced a complete reversal in 2002, significantly tilting in favour of the armed public forces. The ELN's control over its actions and confrontations markedly diminished, and the group entered a phase of military weakening. Nevertheless, there was a partial improvement in the ELN's military capacity observed after 2010. During this period, the group deployed its activities to rural border areas of the country, where state institutions had a weaker presence. This strategic shift allowed the ELN to partially regain some ground, but it still operated at a significant disadvantage compared to the armed forces. By analysing the ELN's capabilities in armed actions and understanding the power dynamics over time, this section contributes to a deeper understanding of the complexities of addressing the

⁴⁷ Barco, Jorge and Arana, John: "Comportamiento de la criminalidad en Colombia, 2013", *Revista Criminalidad*, vol. 56, n° 2 (2014), pp. 11-33

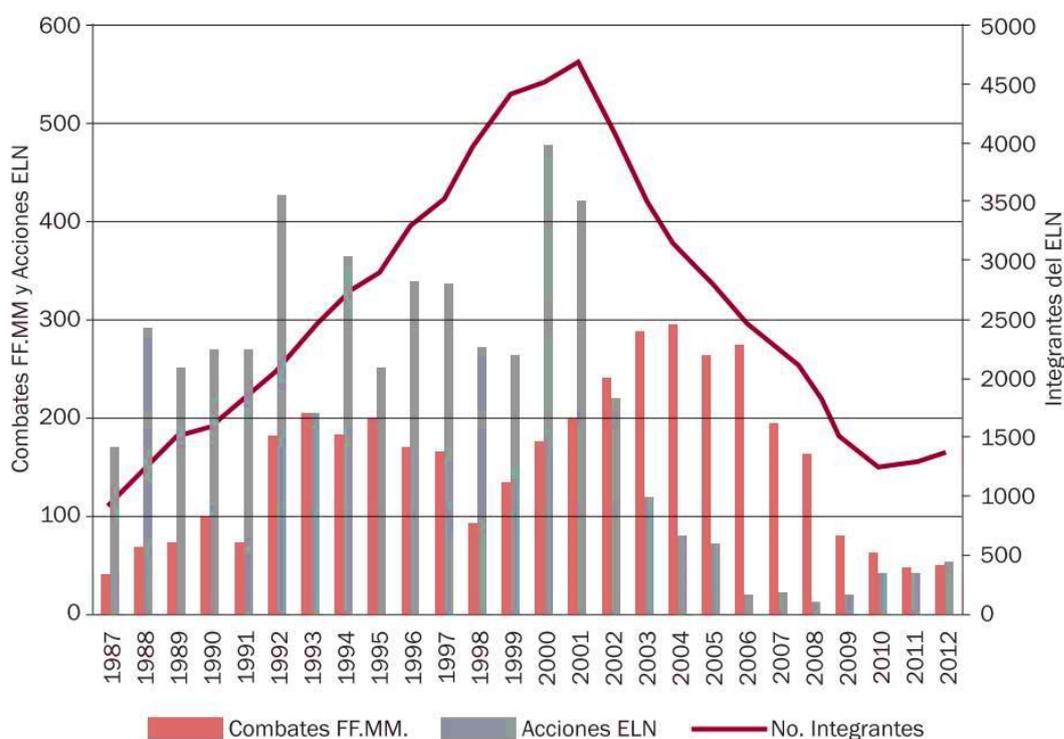
⁴⁸ *Ibid*

⁴⁹ *Ibid*

conflict with the ELN and the challenges faced by the Colombian government in maintaining control and pursuing a negotiated resolution.

On the other hand, the ELN's resources as to be analysed in this paper can be categorized into human and financial sources. In terms of human sources, the number of combatants in the ELN has also experienced significant fluctuations over the years. According to data from Figure 11, the number of ELN members (red line) drastically reduced by the end of 2009. In the past, the organisation had an estimated 4,700 combatants organised in seven war fronts, comprising 38 rural fronts and seven urban fronts, along with 38 mobile companies. However, by the end of 2013, their military strength had decreased to 1,330 troops in six war fronts, spread across 26 rural fronts and one urban front, with thirteen mobile companies⁵⁰. This decline can be linked to the paramilitary expansion and the persecution by armed forces. Notably in Figure 12, the Domingo Lain front, part of the Eastern War Front⁵¹, is considered one of the most crucial structures in the last two decades due to its access to significant economic resources from oil economies, making it the front with the highest number of combatants.

Figure 2: ELN Members, Combats of the Armed Forces and Actions of the Guerrilla Group (1987-2012)



Source: Echandía (2013: p. 8)

The ELN is distinguished by its conception as an armed non-governmental organisation (NGO) and not as a traditional army like the FARC-EP. Combatants constitute only a fraction of the guerrillas, the majority being thousands of civilians, many of whom are infiltrated into civilian

⁵⁰ Echandía, Camilo: “Auge y declive del Ejército de Liberación Nacional (ELN): Análisis de la evolución militar y territorial de cara a la negociación”, Informes de la Fundación Ideas para la Paz, vol. 21 (2013), pp. 1-22. International Crisis Group: “La frágil estabilidad del ELN: El ELN y los diálogos de paz en Colombia”, 2014, Bogota, ICG.

⁵¹ Echandía, Camilo (2015): “El ABC del ELN: Evolución del Frente de Guerra Oriental (territorialidad, iniciativa armada y relación con la población y las economías ilegales)”, Bogota, Fundación Ideas para la Paz



and political bodies in areas of their influence⁵². Furthermore, it is concerning that not all ELN combatants are adults who joined the guerrilla group willingly. The Memory and Conflict Observatory of the CNMH reports that the ELN has recruited children, mostly students and farmers between 12 and 17 years old from rural areas. The ELN has been responsible for 107 recruitments between 1996 and 2016. The highest number of recruitments occurred between 2008 and 2010, suggesting an intention to expand its capacity to act, subsequently leading to a constant increase in armed actions from that point onwards⁵³.

Regarding financial sources, the ELN adopted a strategy during the Second Congress in 1989, aimed at targeting the pillars of the national economy, including the oil industry and electrical and communications infrastructure. At the Third Congress in 1996, the ELN extended its military objectives to include the “oligarchy”, multinational corporations, and sponsors of the “dirty war”⁵⁴. The ELN's financial sources are diverse, encompassing revenue from the oil business, illegal mining, kidnappings, extortion, and involvement with drug trafficking. Bejarano and Pizarro⁵⁵ outline a financial structure indicating that 60% of their funding comes from extortion, 28% from kidnappings, 6% from drug trafficking, 4% from cattle rustling, and 2% from other criminal activities.

First, the oil industry plays a significant role in the ELN's financial resources. For instance, the Caño Limón oil field¹⁵ in Arauca, which produces 50,000 barrels of oil daily⁵⁶, has attracted the U.S. company Occidental Petroleum Corporation (OXY) since 1985. The ELN's presence in the area grew alongside oil operations, leading to displacement, extraction, and a deterioration of the quality of life of the local population. Furthermore, the ELN engaged in oil exploration and exploitation in Casanare during the early 1990s. By appropriating local government resources, the organisation developed armed clientelism, strengthening its position through oil contractors and increased resources from local administrations during the oil boom⁵⁷.

Second, illegal mining also contributes significantly to the ELN's funding. Documents seized by Colombian police indicate that the ELN has increased its involvement in illegal mining, regulating the sector, accumulating gold reserves in Bolivar department, and demanding a share of mining profits⁵⁸. Moreover, the ELN benefits from extortion activities related to mining operations, imposing fees on machinery use and securing control over local mining cooperatives and associations. For example, with respect to the use of machinery such as excavators, the group obtains approximately US\$50 per hour of use.

Third, in the late 1980s, the ELN registered the highest number of kidnappings, mainly for political and propaganda purposes⁵⁹. From 1970 to 2010, they conducted 7,361 kidnappings, peaking at 1,018 in 2000, but dropping to 39 in 2009. 77% of the cases were for economic gain,

⁵² Cabrera, Adelaida: “El ELN se para de la mesa con más fuerza, pero más enemigos”, 22 January 2019, at <https://www.lasillavacia.com/historias/silla-nacional/el-eln-se-para-de-la-mesa-con-mas-fuerza-pero-mas-enemigos%C2%A0>

⁵³ “¡Basta ya! Colombia: memorias de guerra y dignidad,” Centro Nacional de Memoria Histórica, Bogotá, 2013,

⁵⁴ Echandía, “Auge y declive”, *op.cit.* p. 7

⁵⁵ Bejarano, Ana. and Pizarro, Eduardo: “Colombia: The Partial Collapse of the State and the Emergence of Aspiring State-Makers”, in Kingston Paul and Spears Ian S. (eds) (2002): *States Within States: Incipient Political Entities in the Post-Cold War Era*, New York, Palgrave MacMillan, pp. 99-118.

⁵⁶ “La guerrilla del ELN y el 'oro negro', una historia de guerra en Colombia”, *France 24*, 8 February 2019, <https://www.france24.com/es/20190208-petroguerrilla-colombia-farc-proceso-paz>

⁵⁷ Echandía, *El ABC del ELN*, *op.cit.*

⁵⁸ “ELN Profundiza su Participación en la Minería Ilegal”, InSight Crime, 26 July 2013, en <https://es.insightcrime.org/noticias/noticias-del-dia/eln-profundiza-su-participacion-en-la-mineria-ilegal/>

⁵⁹ Barco and Arana, “Comportamiento de la criminalidad”, *op.cit.*



while 21% were political⁶⁰. In 2013, they were responsible for 9% (28 cases) of 299 kidnappings, but between 2014 and 2016, their involvement increased to 46%⁶¹. Around 6,789 kidnappings happened up to 2015, with at least 148 deaths in captivity. Fourth, extortion is also part of the ELN financing. Targeting energy infrastructure in Arauca, extortion helped expand their military power. In 2013, 32 cases out of 4,805 reported incidents were carried out by the ELN, accounting for a 0.7% of the total.

Finally, the military decline in the early 2000s hurt their finances. Loss of oil-producing regions reduced extortion revenues, and their retreat from cities lowered kidnappings, impacting their financial stability. To compensate for military and financial decline, some ELN fronts turned to drug trafficking, deviating from their previous policies. The ELN had initially rejected drug trafficking as a funding source. However, since the mid-2000s, they gradually became more involved in the drug business in various regions. For example, in Arauca, the Domingo Laín front entered the drug trade to maintain its war effort and territorial control⁶².

In conclusion, the ELN's resources encompass human sources of combatants, some of whom have been forcibly recruited, and financial sources ranging from oil business, illegal mining, and kidnapping to the involvement in drug trafficking. The various sources of funding reflect their local opportunities, and their financial trajectory that has evolved over time, adapting to changing circumstances.

4.3 Internal cohesion

The ELN's internal cohesion has been a complex and shifting aspect of its existence. Following the disaster of Anorí in 1973, which led to a military setback and the death of key leaders, the ELN underwent an existential crisis and faced challenges in maintaining a unified and coordinated national strategy. The leadership, criticised for its top-down approach and a lack of internal democracy, began to be criticised by the combatants, leading to a shift towards a federated organisation with a shared leadership and a strategy of growth through regional articulation⁶³.

As the ELN expanded rapidly, it struggled to maintain cohesion due to differences between the fronts and their leaders, who prioritized regional interests. In addition, the lack of communication infrastructures among the dispersed fronts further complicated the issue of cohesion and decision making for political and military actions⁶⁴. Efforts were made to establish representative bodies like the National Executive Command (CEN) in 1978 and the National Directorate (DN) in 1982. The DN managed to centralize the organisation's resources, created a national action plan, and established contact with urban groups that shared the ELN's ideology. The 1987 national assembly aimed to address existing incohesion and led to the creation of the Central Command (COCE)⁶⁵.

The COCE is the highest leadership body of the ELN. Despite the margin of action enjoyed by the individual fronts, COCE directives still tend to be respected. This applies even to the Domingo Laín front in Arauca, the group's most powerful individual structure, which has enjoyed long and considerable independence (ibid.). As Rafael Ortiz, member of the COCE,

⁶⁰ Centro Nacional de Memoria Histórica, *¡Basta ya!*, op.cit.

⁶¹ "Cese al fuego con el ELN, los impactos y los retos", CERAC, 2017, at <https://www.blog.cerac.org.co/cese-al-fuego-con-el-eln-los-impactos-y-los-retos#more-7502>

⁶² Gutiérrez, Omar: "Arauca: espacio, conflicto e institucionalidad", *Análisis Político*, vol. 23, n° 69 (2010), pp. 3-34.

⁶³ Villamizar, *Historia de las guerrillas*, op.cit. Ríos, *Historia de la violencia*, op.cit.

⁶⁴ *Ibid.*

⁶⁵ Medina, Carlos (2010): *FARC-EP y ELN: una historia política comparada (1958- 2006)*, Bogota, Universidad Nacional de Colombia.



said, a whole internal work was started to really overcome the great political vacuum: its lack of articulation with the masses⁶⁶

The multi-faceted nature of the ELN's internal dynamics became evident through events like the assassination in 1989 of Monsignor Jesús Emilio Jaramillo, bishop of Arauca, by “Pablito”. Likewise, the involvement of the western front in the coca business, despite the prohibition of the COCE, showing a clear disobedience and disregard for central directives; the various degrees of connection with local society and ways of carrying out their activities. For instance, the western front is identified as a major actor generating social violence, while the southwestern front is known for its emphasis on political work and engagement with the local population rather than primarily focusing on military actions, and finally, the differentiation in the negotiating position of the Eastern War Front¹⁷ and the Northeastern War Front. In 2015, both fronts rejected the ELN's last attempts at peace talks during the 50th anniversary conference of the organisation. Notably, “Pablito” took advantage of the peace talks in 2016, choosing not to be present at the negotiation table anymore and instead, he used that time to expand his troops and military power in Venezuela and the department of Vichada in Colombia⁶⁷.

In conclusion, the ELN has experienced a complex journey in maintaining internal cohesion. While it adopted a federated organisation and a decentralized approach, challenges persist in coordinating a unified national strategy. The evolution of the ELN leadership structures and the interplay between regional and national interests have shaped the internal dynamics of the guerrilla and its ability to navigate through periods of crisis and growth.

4.4 Alliances

In its history, the ELN has formed various alliances, arising naturally from territorial expansion, resource acquisition, or political and military efforts. Other alliances were created strategically for specific objectives or economic interests. However, not all these alliances have been positive. Each relationship has shaped the ELN's trajectory and strategies in different ways.

One significant negative relationship, as a guerrilla, has been with the Colombian government. Historically, the ELN sought to overthrow the government and seize power through armed insurgency, claiming to defend the people from the oligarchy. This antagonistic relationship has hindered any possibilities of cooperation.

On the other hand, the ELN found a favourable partner in the Venezuelan government, particularly during Hugo Chávez's presidency (From 1999 until his death in 2013). While facing military pressure in Colombia, Chávez provided a safe place for insurgents in the border region. Over time, this partnership deepened, with the ELN using Venezuela as a base of operations. Venezuela offered the rebels new territory, access to resources, and the opportunity to engage in criminal activities, such as drug trafficking, to finance their operations⁶⁸. This alliance also led to tensions between both governments, especially during the presidency of Nicolás Maduro and Iván Duque, where conflicts escalated almost to the point of war between the two countries. Nevertheless, during this time, the ELN and Nicolás Maduro relationship got stronger, allowing the ELN to have more control over the Venezuelan border.

The ELN's relationship with society took diverse forms depending on the region. In Arauca, the Domingo Laín front played a crucial role in the group's revitalization after a crisis, co-opting civil society and local politics. They established themselves as de facto authorities in

⁶⁶ Harnecker, Martha (1988): *ELN: Unidad que multiplica*, La Habana, Biblioteca Popular

⁶⁷ “El plan de Pablito, *op.cit.*”

⁶⁸ “Rebeldes y paramilitares: la guerrilla colombiana en Venezuela”, InSight Crime, 3 October 2022, at <https://es.insightcrime.org/investigaciones/rebeldes-paramilitares-guerrilla-colombiana-venezuela>



communities, promoting their ideology and expanding their influence⁶⁹. However, this approach was not uniformly successful, as in some regions like Chocó, the Western Front struggled to gain social support due to its imposition of rules and disruption of local dynamics. In Nariño and Cauca, the group's reliance on community support gave it resilience and political capital, but also made it vulnerable to paramilitary violence because of its military weakness⁷⁰

Furthermore, the ELN also sought alliances with other non-state armed groups, like the 19th of April Movement (M-19) and the Popular Liberation Army (EPL), forming the Coordinadora Nacional Guerrillera (CNG) and later the Coordinadora Guerrillera Simón Bolívar (CGSB), which included the FARC-EP⁷¹. These alliances aimed to confront the Colombian regime. However, internal differences hindered the continuation of alliances between the five non-state armed groups. After a decline in 2009, the ELN's Eastern War Front saw reduced armed actions and political capacity due to conflicts with the FARC-EP. To restore stability, the Domingo Laín front embraced an offer from the 10th front (FARC-EP), leading to a non-aggression and territory sharing agreement in 2010⁷². Improved relations with the FARC-EP also played a key role in the ELN's recovery, with steps taken towards a coalition by the end of 2013, including attacks against security forces in 2013. The ELN's incursion into drug trafficking led to alliances with illegal armed groups, particularly in regions where the ELN was relatively weak, such as Cauca and Nariño. These agreements, centred on cocaine production and trafficking, contributed to change the conflict dynamics and political perspectives⁷³.

In conclusion, the ELN's alliances until 2016 were multifaceted and influenced the group's strategies, territorial control, and societal impact. The interactions with the Colombian and Venezuelan governments, society, other armed groups, and criminal networks shaped the ELN's evolution over time. While some alliances offered benefits in terms of territorial expansion, resources, and political support, they also exposed the group to vulnerabilities, competition, and internal divisions.

5. The structure of the ELN until 2024

This second case study will first give a continuation of the essential moments during the negotiation process between the ELN and the government, before continuing with the data found to support the four variables up to July 2024. Despite the Colombian government signing a peace agreement with the largest guerrilla group in 2016, the armed conflict has endured. Following the signing of the FARC-EP peace agreement, negotiations between President Santos and the ELN entered their sixth and final cycle. However, after an extensive 30-month negotiation period, the parties failed to reach substantial agreements on any aspect of the negotiation agenda before the end of President Santos' term on August 7, 2018. Nonetheless, they did find common ground related to the first agenda point, "Participation of Society in Peace Building"⁷⁴, which were left for approval and implementation by the incoming Iván Duque Administration.

Upon assuming the presidency, Duque drastically altered the peace process' trajectory, narrowing its focus to demands presented to the ELN as an ultimatum. This shift hindered

⁶⁹ "El plan de Pablito, *op.cit.*

⁷⁰ González, Fernán (2021): *¿Por qué es tan difícil negociar con el ELN? Una mirada regionalmente diferenciada*, Bogotá, CINEP.

⁷¹ Ríos, *Historia de la violencia, op.cit.*

⁷² Echandía, *El ABC del ELN, op.cit.*

⁷³ "La frágil estabilidad, International Crisis Group, *op.cit.*

⁷⁴ Ríos, Jerónimo: "El Ejército de Liberación Nacional, el gobierno de Iván Duque y la encrucijada de la paz en Colombia", *Canadian Journal of Latin American and Caribbean Studies*, vol. 46, n° 2 (2021), pp. 222-239.



progress and reversed the negotiation model, returning to a minimalist peace agenda focused on disarmament and demobilization⁷⁵. Duque's presidency, marked by his right-wing stance and opposition to the prior peace agreement, was characterized by a lack of compliance, delays, and challenges in managing both the established peace process and the ongoing negotiations. A tragic incident further strained negotiation. A terrorist attack by the ELN's eastern front on January 17, 2019, targeted the General Santander cadet school in Bogota, resulting in the loss of 22 lives and injuring 80 others. Following this attack, President Duque terminated the peace talks with the guerrilla group in Cuba and issued arrest warrants for the COCE commanders still in Havana. The capture was not established due to the intervention of the guarantor countries of the peace process.

The renewed intention to advance the peace negotiations took concrete form on 7 August 2022, following the inauguration of President Gustavo Petro. Petro, a former member of the M-19 guerrilla movement until its demobilization in 1989, has taken a progressive position. Since taking office, one of Petro's central promises has been the pursuit of the total peace "Paz Total". President Petro predicts that by May 2025, the decades-long conflict between the ELN and the state will definitively cease⁷⁶. This ambitious vision sustains a state policy aimed at ending the over half-century-long armed conflict. Petro's approach involves negotiations with all armed insurgent, criminal, and illicit actors through mechanisms of negotiation and judicial submission within the framework of criminal subrogation. Simultaneously, this approach emphasizes dialogue with all actors from a human security perspective, prioritizing the protection of human dignity of all those involved in the concertation and peace processes⁷⁷.

Subsequently, the new round of peace talks with the ELN commenced directly on 21 November 2022 in Caracas, Venezuela, a guarantor country. The High Commissioner for Peace, Danilo Rueda, emphasized continuity in the negotiations, stating: "we start from what already exists, from what has already been agreed upon, we are not inventing anything"⁷⁸. In this way, the negotiating parties agreed to carry forward the agenda established during the previous negotiations with President Santos, which includes six focal points: Participation of Society in Peacebuilding, Democracy for Peace, Socioeconomic Transformations, Victims, End of the Conflict, and Implementation.

Yet, these new negotiations exhibit certain distinctions from their predecessors. A main divergence lies in the government's willingness to embrace negotiations with a preference for partial agreements, leaving aside the 2016 model in which nothing was agreed until everything was in place. President Petro's strategy initially prioritizes small agreements that help improve the humanitarian conditions of the most affected communities and reduces hostilities among various armed groups. Another notable distinction is that it does not require the ELN to surrender its weapons immediately upon reaching an agreement. Instead, it advocates a gradual process synchronized with the fulfillment of government promises. This process of distrust is influenced by the state's failure to comply with the agreements made with the FARC-EP in previous negotiations.

⁷⁵ Cerón and Cortés, *Negociando con el ELN*, *op.cit.*

⁷⁶ Ríos, Jerónimo: "ELN y la paz total en Colombia: las dificultades de un proceso de negociación que nunca acaba", *Revista de Pensamiento Estratégico y Seguridad CISDE*, vol. 9, n° 1 (2024), pp. 91-105.

⁷⁷ Pastrana, Eduardo & Valdivieso, Andrés: "Colombia ante la Paz Total de Gustavo Petro: Precedentes históricos, retos y expectativas", *Documentos de Trabajo de la Fundación Carolina*, vol. 78 (2023), pp. 1-48.

⁷⁸ Torrado Santiago: "Proceso de paz con el ELN: cese al fuego, sedes y puntos de la agenda en las negociaciones con el Gobierno de Gustavo Petro", *El País*, 12 June 2023, <https://elpais.com/america-colombia/2023-06-12/proceso-de-paz-con-el-eln-cese-al-fuego-sedes-y-puntos-de-la-agenda-en-las-negociaciones-con-el-gobierno-de-gustavo-petro.html>



The second round of talks occurred in Mexico, another guarantor country, and the third took place in Cuba from May 2 to June 9, 2023. The fourth cycle will be held in Venezuela from August 14 to September 4. At the end of the third cycle of negotiations, the parties announced an unprecedented bilateral, national, and temporary ceasefire for six months. This ceasefire, commencing on August 3, will be in full effect for 180 days. Government negotiators have indicated that discussions during the fourth cycle will cover agenda items 4 and 5 on victims and the ending of the conflict. Such progress marks a significant stride forward for the ongoing negotiations. In this second case study, as done with the first case, crucial data found until July 2024 will be presented to operationalize four variables: the ELN's geographic expansion, its resources and capabilities, its internal cohesion, and its alliances with other (non-)state armed groups, neighboring countries, and civil society.

5.1 Territorial occupation

Following the demobilization and disarmament of the FARC-EP in early 2017, a power vacuum emerged in numerous regions of Colombia, as public forces and state institutions failed to fill the space left by the guerrilla. This presented a historic opportunity for the ELN and other illicit organisations to seize territory in Colombia and Venezuela⁷⁹ previously held by the FARC-EP. This expansion consolidated its status as a binational guerrilla entity.

InSight Crime's analysis has revealed ELN operations in 40 municipalities across eight of Venezuela's 24 states. This presence surpasses the eleven municipalities in four states confirmed for FARC-EP dissidents and is unmatched by any other illegal armed group in Venezuela. Zulia, Táchira, Apure, and Amazonas are the states where the ELN holds the strongest presence. These states share the characteristic of being border regions²⁰, where the ELN is striving to establish dominant control, currently having a presence in 19 out of the 20 Venezuelan municipalities bordering Colombia⁸⁰.

Yet, the Eastern War Front and other War Fronts have not confined themselves to the former FARC-EP territories; they have expanded deeper into Venezuela's interior, including states such as Anzoátegui on the Caribbean coast, Barinas, Guárico, and even Bolívar, a gold mining hub⁸¹. By 2021, as indicated by Guevara, the ELN's activities extended to four additional Venezuelan states: Lara, Trujillo, Falcón, and Portuguesa, establishing its presence in half of the neighboring country's states; additionally, the author notes that this guerrilla is also to be found at the borders with Panama and Ecuador.

As evidence of its rapid expansion, by 2017, the ELN's War Fronts had grown from five to eight structures: 1) The Manuel Pérez Martínez Northeastern War Front (FGNO) with influence in Norte de Santander, South of Cesar, Santander, and Zulia in Venezuela; 2) The Northern War Front (FGN), operating in La Guajira, Cesar, Chocó, Magdalena, Atlántico in Colombia, and Zulia and Táchira in Venezuela; 3) The Manuel Vásquez Castaño Eastern War Front with influence in Arauca, Boyacá, Vichada, Casanare, and in Venezuela's Apure, Táchira, and Amazonas; 4) The Jesús Darío Ramírez Castro War Front (FGJDR) with sway over Antioquia and the south of Bolívar; 5) The Omar Gómez Western War Front (FGOR), active in Chocó, southern Valle, Risaralda; 6) The Carlos Alberto Troches Zuleta Southwestern War Front (FGSO), influential in Nariño and Cauca; 7) The Central War Front (FGC), operative in Caldas, Tolima, Risaralda, and Antioquia; and, finally 8) The Camilo Torres Restrepo National

⁷⁹ Ríos, *Historia de la violencia, op.cit.*

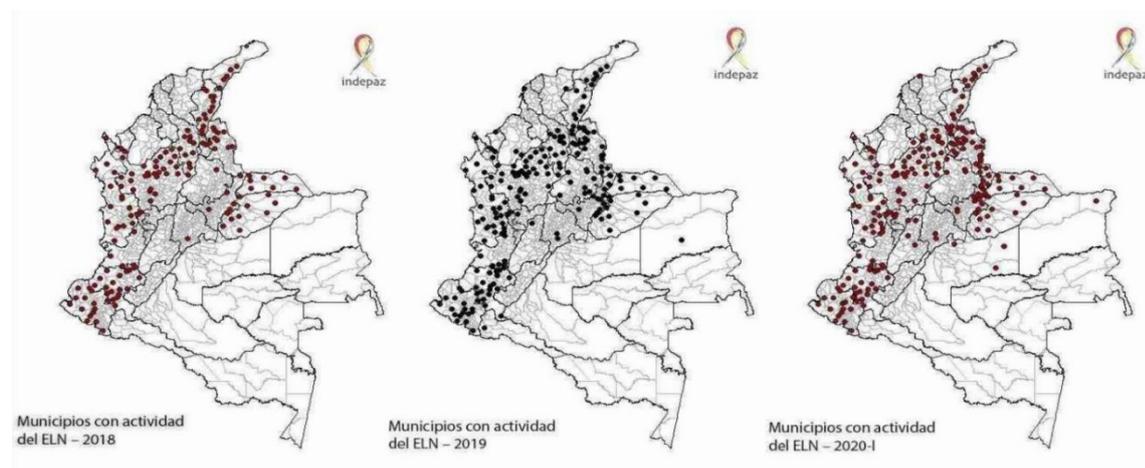
⁸⁰ “Ejército de Liberación Nacional (ELN) en Venezuela”, InSight Crime, 18 October 2022, at <https://es.insightcrime.org/noticias-crimen-organizado-venezuela/eln-en-venezuela/>

⁸¹ Ejército de Liberación Nacional (ELN)”, InSight Crime, 14 February 2023, at <https://es.insightcrime.org/noticias-crimen-organizado-colombia/eln-colombia/>

Urban War Front (FGUN), possibly maintaining cells in major Colombian cities including Medellín, Barranquilla, Bucaramanga, Cúcuta, Bogotá, Tunja, and Cali⁸².

In Colombia, the ELN operated in at least 23 of the country's 32 departments in 2017 (ibid.). However, after 2019, the guerrilla lost dominance in certain territories historically under their control, such as Norte de Santander, due to confrontations with rival illegal groups. The ELN's territorial expansion has particularly intensified along the Venezuelan border and has included previously unoccupied departments in the southern regions of Colombia. These are areas where the ELN had not historically been present, but which were previously under FARC-EP control. The figure also illustrates that while the ELN had an increased presence in 2020, it did not establish a lasting or adaptive presence in certain municipalities where it had been active in 2018 and 2019. By the end of 2021, the ELN's territorial influence encompassed 165 municipalities, mirroring its peak strength in the late 1990s⁸³. In conclusion, the expansion of the ELN's structures following the demobilisation of the FARC-EP in Colombia, but especially in Venezuela, has been clear and accelerated.

Figure 3: ELN's Front Location in 2018-2020



Source: Indepaz (n.p.)

5.2 Resources and Capabilities

Like the operationalization of this variable until 2016, it has now also been divided into two distinct components. The first component refers to resources and focuses on the ELN's financing methods and number of combatants and the second component, its capacity, is measured by armed actions. This sub-section will focus first on the latter component. According to the Observatorio de Memoria y Conflicto⁸⁴ a total of 121 belligerent actions were executed by guerrilla groups between 2017 and 2022, leading to the unfortunate loss of 143 lives. Cauca (27%) and Norte de Santander (22%) were the two departments most adversely affected by these actions, aligning with the historical presence of the ELN in these regions. Nevertheless, it is notable that these figures do not entirely correlate with those found in studies with a more localized temporal focus. For instance, in 2017, Indepaz reported 31 ELN attacks and an

⁸² "Balance sobre las dinámicas del Ejército de Liberación Nacional en Colombia 2018, 2019 y 2020-I", 6 marzo 2021, Fundación Ideas para la Paz (FIP). "¿Qué hacer con el ELN? Opciones para no cerrar la puerta a una salida negociada", 28 enero 2021, FIP.

⁸³ Ríos, *Historia de la violencia*, op.cit.

⁸⁴ "Acciones Bélicas", Observatorio de Memoria y Conflicto, 30 March 2023, at <https://micrositios.centrodememoriahistorica.gov.co/observatorio/porta-de-datos/el-conflicto-en-cifras/acciones-beliclas/>

additional 30 attacks on infrastructure⁸⁵. A conspicuous escalation of homicides was witnessed in the Catatumbo region of Norte de Santander in 2018, exceeding the numbers recorded in 2015. A grim incident unfolded in Bolívar, Venezuela, in 2018, where the ELN was implicated in the massacre of 17 miners²². Notably, 2018 also highlighted the precarious situation in Chocó, as around 3,200 people from two communities faced the danger caused by the confrontation between the ELN and the Gaitanist Self-Defense Forces of Colombia (AGC) over social control.

Miguel Ceballos, who served as the High Commissioner for Peace until 2021, reported that during the negotiation period with the ELN until January 2019, the guerrilla group was responsible for a remarkable 462 criminal activities and 48 attacks on rural infrastructure. These attacks resulted in approximately 100 deaths⁸⁶. Thus, figure 4 illustrates a 57% increase in civilian deaths (blue) from 2017 to 2022. On the other hand, both fatalities among the security forces (green) decreased by 35% and fatalities among ELN members themselves (red) also decreased by 33%.

Figure 4: Deaths of civilians, security forces and ELN members in events with direct ELN participation 2012-2022



Source: CERAC (2023)

The Ombudsman's Office issued 148 early warnings, regarding the presence and activities of the ELN during the period 2017-2022. This represents 58% of the total number of alerts issued by the institution nationwide⁸⁷. The years 2018 and 2020, marked by Ivan Duque's presidential inauguration and the disintegration of the Peace Accords, respectively, were particularly lethal for the civilian population. In addition, the ELN was found responsible for at least 323 guerrilla takeovers of military bases and cities. The year 2022 witnessed a deadly armed confrontation between FARC-EP dissidents and the ELN at the Arauca-Apure border, leaving 27 fatalities in just three days⁸⁸.

⁸⁵ “Cifras del conflicto con el ELN durante la primera ronda del 2017”, 22 May 2017, Indepaz, at <https://indepaz.org.co/83-acciones-armadas-que-involucran-al-eln-en-lo-que-va-corrido-el-2017/>

⁸⁶ Balance sobre las dinámicas, *op.cit*

⁸⁷ “Mapa nacional de riesgos por la presencia del ELN”, Bogotá, Defensoría del Pueblo, 2023.

⁸⁸ “Cómo Venezuela se convirtió en el cementerio de la cúpula de las ex-FARC Mafia”, InSight Crime, 3 October 2022, at <https://es.insightcrime.org/investigaciones/venezuela-cementerio-exfarc-mafia/>



Switching to the ELN's resources until 2024, the central point begins with its number of combatants. In contrast to 2016, when the ELN counted less than 2000 fighters, it is estimated that around 1,000 demobilized FARC-EP fighters joined the ELN ranks since then⁸⁹. As a result, the number of members increased to approximately 4,000 in 2018. It has been observed that the number of members fluctuated around 5,000 from 2017 to the first half of 2023, with varying proportions of combatants and guerrilla auxiliaries (militiamen). For example, Indepaz approximates the organisation's strength at 4,000 fighters and more than 1,000 militiamen⁹⁰. In contrast, *El Tiempo* and local newspapers suggest around 2,500 combatants and 2,500 militiamen⁹¹. Interestingly, insight crime points out that the ELN maintains an extensive support network in Venezuela, encompassing an estimated 40% of its total strength and 75% of its leadership across the border⁹². This makes it more challenging to accurately determine the actual number of members.

In terms of resources, oil comes to the fore, especially considering a scandal this year involving the ELN's presumed misappropriation of approximately 360,000 million Colombian pesos (80,625 euros) from a state oil company⁹³. The ELN's involvement in the mining industry, particularly illegal gold mining, has become an important source of revenue due to its discreet nature and portability⁹⁴. The ELN demands 5% of daily gold production from miners and levies taxes on all active illegal mines⁹⁵. In addition, express kidnappings have also increased as a means of quick financial gain⁹⁶. According to Colombia's Unified Action Groups for Personal Freedom (Gaula), kidnappings escalated by 93% between January and July 2023, with 173 incidents this year compared to 80 during the same period in 2022⁹⁷. The majority of victims, especially in Norte de Santander, are merchants, suggesting a significant link to kidnappings for economic gain.

Extortion is another significant source of revenue. Along the border with Venezuela, fees are charged for the transportation of cattle, smuggled gasoline, goods, appliances, and any type of trade. The illicit nature of this trade makes it difficult to determine the exact profits. However, estimates such as that of Venezuelan Congressman Karim Vera suggest that it will exceed \$100 million only in 2021⁹⁸. For gold mines in Venezuela's Bolívar state, the ELN demands a payment of \$1,000 for every 20 tons of supplies brought in by raft along with additional fees charged to other passing vessels. It is estimated that there are about 50 such fee stations.

⁸⁹ ¿Qué hacer con el ELN?, *op.cit.*

⁹⁰ Balance sobre las dinámicas, *op.cit.*

⁹¹ “El 2022 arranca con 4 grandes redes criminales con casi 13.000 integrantes”, *El Tiempo*, 11 January 2022, at <https://www.eltiempo.com/justicia/conflicto-y-narcotrafico/cuantas-personas-estan-en-los-grupos-armados-organizados-en-colombia-644062>

⁹² “Rebeldes y paramilitares”, *op.cit.*

⁹³ “Revelan el papel del ELN en el millonario robo de crudo a Ecopetrol”, *El Heraldo*, 27 July 2023, at <https://www.elheraldo.co/colombia/revelan-el-papel-del-eln-en-el-millonario-robo-de-crudo-ecopetrol-1018665>

⁹⁴ “El ELN tiene comportamiento de cartel de droga: Comisionado de paz entregó informe sobre el grupo ilegal”, *El Colombiano*, 5 August 2022, at <https://www.elcolombiano.com/colombia/alto-comisionado-para-la-paz-entrego-informe-sobre-el-eln-y-narcotrafico-OJ18331942>

⁹⁵ ¿Qué hacer con el ELN?, *op.cit.*

⁹⁶ León, Ana: “En Arauca temen una guerra entre el ELN y las disidencias”, *La silla vacía*, 30 September 2020, at <https://www.lasillavacia.com/historias/silla-nacional/en-arauca-temen-una-guerra-entre-el-eln-y-las-disidencias/>

⁹⁷ “Aumentan secuestros en Colombia en medio de conversaciones de paz con el ELN”, *InSight Crime*: 18 July 2023, at <https://es.insightcrime.org/noticias/aumentan-secuestros-colombia-conversaciones-paz-eln/>

⁹⁸ “Enfoque Internacional - ELN y disidentes de las FARC se disputan en Arauca por el control territorial”, 27 February 2022, at <https://www.rfi.fr/es/programas/enfoque-internacional/20220227-eln-y-disidentes-de-las-farc-se-disputan-en-arauca-por-el-control-territorial>



Lastly, the ELN has positioned itself as a guardian of drug trafficking routes, overseeing the movement of around 250 tons of cocaine per year. According to the United Nations Office on Drugs and Crime⁹⁹ in Norte de Santander, where Catatumbo is located, there are more than 42,000 hectares of coca crops, the second largest in the country, producing almost 400 tons of cocaine base a year. The ELN's involvement in drug trafficking also extends to poppy fields for heroin production, with an estimated 450 hectares between the departments of Nariño and Cauca. The ELN has been implicated in trafficking cocaine hydrochloride as well, worth approximately \$1.8 million, and supplying coca and cocaine to various criminal organisations across Central and South America¹⁰⁰. In sum, the ELN has increased its attacks on the civilian population, resulting in more deaths, and its financial resources have been diverted to drug trafficking and illegal mining.

5.3 Internal cohesion

The ongoing peace talks continue encountering several obstacles derived from the federated structure of the ELN. The guerrilla's complex dynamics require consensus among its often-conflicting fronts regarding crucial decisions. Although the Central Command dominates political decisions, the power of this command structure is not reflected at the military level. President Petro himself has raised doubts about the COCE's actual command authority¹⁰¹. In response, on 21 November 2022, the ELN asserted that the negotiating team enjoyed the backing of both national and regional leaders within the organization.

However, the two most influential ELN factions, the Western and Eastern War Fronts, have refrained from fully supporting the ongoing talks and are absent from negotiating tables. In addition, the Urban War Front maintains close ties with the Eastern War Front¹⁰². These positions are a response to the emergence of a new generation of commanders within the ELN with a stronger military focus, in contrast to the political practices of the historical leadership and reveal a visible break between the traditional political leadership at the negotiating table and the new military command structure on the ground. The Western War Front, led by Emilce Oviedo, known as "La Abuela", publicly expressed its skepticism in a letter dated March 30, in which it questioned the scope of the dialogue process: "As the Omar Gómez Western War Front, we do not see this peace process in a positive light, and every day we have more questions and uncertainties¹⁰³". Similarly, the Eastern War Front, led by "Pablito", has adopted a preventive approach to peace and has shown a distinctly different attitude towards the negotiating team, even though he is now part of the COCE. This attitude was exemplified by "Pablito's" organisation of an attack against the Bogotá cadet school, which disrupted the 2019 peace accords and surprised even the ELN's political chief, Pablo Beltrán, who claimed to be unaware of the attack¹⁰⁴. The indication that this faction remains committed to violence, underscores the importance of including it in the peace talks. To this end, it should be clarified why a key part of the ELN, which directly affects the terms of the conflict and the negotiation, remains absent

⁹⁹ "Colombia: Monitoreo de territorios afectados por cultivos ilícitos 2021", Vienna, UNODC, 2022.

¹⁰⁰ "Historia del ELN: Financiación, Crímenes y Violación de Derechos Humanos", EnColombia.com, 5 November 2021, at <https://encolombia.com/educacioncultura/historia-colombia/eln/>

¹⁰¹ "Atención: Comando Central del ELN dice que 'la mesa de diálogo entró en crisis' y culpa al presidente Petro", *Semana*, 15 May 2023, at <https://www.semana.com/politica/articulo/atencion-comando-central-del-eln-dice-que-la-mesa-de-dialogo-entro-en-tesis-y-culpa-al-presidente-petro/2023>

¹⁰² ¿Qué hacer con el ELN?, *op.cit.*

¹⁰³ "Frente Occidental del ELN en el Chocó critica los diálogos y la Paz Total de Petro", *El Espectador*, 30 March 2023, at <https://www.elespectador.com/colombia-20/pazy-memoria/frente-occidental-del-eln-que-opera-en-el-choco-critica-los-dialogos-y-lapaz-total-de-petro/>

¹⁰⁴ "No pueden pedir que nos amarremos los brazos si nos atacan: ELN", *Semana*, 21 January 2019, at <https://www.semana.com/nacion/articulo/entrevista-a-pabeltran-sobre-atentado-del-eln-a-escuela-general-santander/598719/>



from the current negotiating table. In other words, the absence of the Eastern and Western War Fronts raises questions about the ELN's real intentions and role in the ongoing peace process, as it reflects the situation in 2019, when negotiations failed due to the terrorist attack by the Eastern War Front.

5.4 Alliances

During Duque's candidacy, relations between Colombia and Venezuela were very tense, almost to the point of starting a war between the two nations. During this time, illegal armed groups located in the border region indirectly benefited from this interstate conflict, as Maduro, from Venezuela, strategically offered a welcoming and permissive environment for ELN and FARC-EP dissidents. Reports suggest that as of 2020, 18 ELN and 20 FARC-EP leaders found refuge in Venezuela¹⁰⁵.

The ELN has partnered with Venezuelan security forces to attack enemies that represent a security threat or an obstacle to the regime's objectives, such as the Colombian criminal militia the Rastrojos, FARC-EP dissidents of the 10th Front and Bolívar mining gangs¹⁰⁶. Furthermore, the ELN collaborates with the military at all levels to also facilitate and protect its drug trafficking operations. All of this contributed to Venezuela's transformation from a mere hideout to a major base of operations for the rebels. Beyond seeking strategic and economic benefits, the Colombian guerrilla have also extended and deepened its roots, filling their ranks with Venezuelan recruits, building political networks, and gaining support in Venezuelan communities¹⁰⁷.

Simultaneously, the absence of the state presence in certain areas of the country benefits the ELN's establishment in marginalized communities. This has allowed the guerrilla group to position itself as an alternative governance structure for these communities, regulating various aspects of their lives, including social, economic, and political aspects¹⁰⁸. For example: encompassing the establishment of conduct codes in their territories, forming support networks within local populations, assuming quasi-authoritative roles in areas neglected by the state, targeting and displacing alleged "collaborators", and intervening in democratic processes to manipulate electoral outcomes in regions under their influence. Unlike other guerrilla groups that operate from jungle hideouts, it often assumes a civilian façade while using secret meetings to strategize. This operational approach becomes more fluid in regions where there is a strong relationship with civilians and where there is less presence of various armed criminal groups. Following the FARC-EP's demobilization, the ELN's political reputation suffered a decline nationwide due to the violence against civil society because of conflicts with other armed groups competing for the abandoned territories.

The ELN's alliances and rivalries are nuanced and depend on the territory. On the Venezuelan border, they maintain an alliance with the ex-FARC Acacio Medina Front, who has control over most of the Bolivian mining area in Venezuela; with the Bolivarian Liberation Forces (FBL), a Venezuelan guerrilla group; with Brazilian drug trafficking groups Red Command (Comando Vermelho) and the Family of the North (Familia do Norte); with Members of the Venezuelan Bolivarian National Armed Forces (FANB), and the Bolivarian National Guard (GNB). On the other hand, in this same area, it managed to redeploy from Venezuela the FARC-EP dissidents of the 10th Front and confronted the Venezuelan mega-gang Tren de

¹⁰⁵ "En Venezuela se ocultan casi 1.500 integrantes de redes Criminales", *El Tiempo*, 20 December 2020, at <https://www.eltiempo.com/justicia/conflicto-y-narcotrafico/envenezuela-se-esconden-mas-de-1400-integrantes-del-eln-y-las-disidencias-555895>

¹⁰⁶ El plan de Pablito, *op.cit.*

¹⁰⁷ González, ¿Por qué es tan difícil, *op.cit.*

¹⁰⁸ "Ejército de Liberación Nacional, *op.cit.*



Aragua in Táchira; the mining gangs known as Sindicatos in Bolívar, and the smuggling gang La Zona in the region of Guajira in Zulia.

In Chocó, the ELN contends for social and territorial control with the Clan del Golfo. Similar dynamics play out in Antioquia with the Urabeños. In Norte de Santander and Cesar, the ELN has managed to displace the EPL, while facing off against the Rastrojos, Caparros, and Clan del Golfo. However, in the same region, the guerrillas have a non-aggression agreement with the 33rd Front ex-FARC and are allied with Mexican cartels and the Sinaloa cartel due to their cocaine production. In Nariño and Cauca, confrontations involve the Rastrojos, the Caparros, and various drug trafficking groups. In the south of Bolívar, it faces the Clan del Golfo and the Urabeños. In short, the ELN has never had so many allies, but neither has it had so many enemies fighting for power and territory at the same time since the FARC-EP demobilized.

6. Discussion: Towards an understanding of the current negotiation scenario with the ELN

After presenting the data collected, the aim of this section is to analyse the data and, therefore, the changes that have occurred in the structure of the ELN since the FARC-EP signed the Peace Accords, in order to be able to discuss the level of readiness of this guerrilla group. First, the changes will be presented on a per-variable basis, followed by an examination of the connections between these variables and their correlations. Subsequently, the data will be interpreted in alignment with the foundational theory.

6.1 Territorial occupation

Regarding the ELN's territorial occupation, it can be noted that, according to this research, The ELN's presence went from 11 departments in Colombia by 2016 to 23 in 2022 and from two departments in Venezuela in 2016 to 12 in the following years. This represents an increase in departmental presence of 38% in Colombia and 42% in Venezuela. More specifically, in the case of Colombia, the presence in municipalities increased from 112 to 165 out of a total of 1,123 by 2021, which represents a 5% increase. Moreover, it has managed to regain influence in large and important cities such as Medellín, Bogotá, and Barranquilla. Although the figures are positive in terms of the ELN's expansion. These figures are no better than those at the end of the 1990s (e.g., they had a presence in 169 municipalities). This shows that the exit of the FARC-EP has contributed to its recovery, but that it has not yet been able to recover from the territorial retreat by the AUC and the military attacks in the early 2000s. In addition, it has also been noted that in many of the places where there have been signs of its presence, it has just been a temporary presence failing to take root.

On the Venezuelan side, the ELN is present in 40 municipalities, including 19 of the 20 border municipalities. This data shows that the ELN has been able to take advantage of and defend the power vacuum left by the FARC-EP in Venezuela and thus has expanded at an accelerated pace: 42% expansion in 6 years.

6.2 Capacities and resources

In terms of the second variable, it will follow a similar approach to the data presentation. First, it will examine structural changes concerning the ELN's capacities in armed (subversive and terrorist) actions, and then it will delve into their human and financial resources. Notably, a plausible pattern emerges in the ELN's behavior regarding armed actions. Whenever the ELN engages in peace negotiations with the government, there is a significant and rapid escalation in their armed activities, which continues until the conclusion of the negotiations. This consistent pattern has been observed in the last four negotiation attempts, including those with Uribe from 2007 to the end of 2008, with Santos from 2014 to 2016, with Duque from 2018 to 2019, and currently with Petro since 2022. From 2017 to 2022 there has been a 57% increase



in civilian deaths, a trend contrary to what was expected during the peace negotiations and indicative of the guerrillas' lack of internal cohesion. However, it is essential to note that despite these escalations, the ELN has not succeeded in establishing a substantial military presence across the entire country.

In terms of human capital, the ELN has increased the number of its fighters significantly since the demobilisation of the FARC-EP, rising from around 1,500 in 2016 to approximately 5,000 in 2018 (including militia members). However, according to reports, this figure has remained relatively stable since then. This stability could be due to challenges in data collection methods caused by the ELN's operational complexities, the ELN's recruitment capacity reaching stagnation, or a deliberate shift in recruitment focus, possibly involving a more active approach in Venezuela. In terms of funding, there has been a positive increase due to expanded collection methods, such as charging for the passage of people and goods at the Venezuelan border, an increase in express kidnappings, and involvement in all stages of drug trafficking. The implications of this financial growth on conflict resolution and preparedness will be discussed in the following section. Is the ELN ready to settle?

6.3 Internal Cohesion

The difficulties encountered so far in the progress of the peace talks are in part due to the decentralised and hybrid structure of this guerrilla group, which involves different power groups with different levels of power and resources depending on their geographical location. As a result, each group has its own territorial interests and, therefore, a different degree of obedience to the COCE. The decision of the COCE to stay outside the country to avoid military attacks is part of the military and political weakening of the guerrillas. This increases the difficulty of maintaining internal cohesion between the war fronts. In the current peace process, the Eastern Front (the most powerful) and the Western Front are not explicitly supporting the process, nor are they sitting at the negotiating table. As for the Western Front, it expressed its doubts about the process in a letter on 30 March 2023. The increase in armed actions mentioned above could be directly related to this structural organisation, in which some groups within the ELN are trying to sabotage the peace process because they are not interested in it.

6.4 Alliances

The ELN has formed alliances with other armed groups in the two countries where it operates, mainly due to political differences between the governments. This has allowed them to use Venezuela as a base of operations, especially after the demobilisation of the FARC-EP. However, not only the ELN, but other armed groups moved in as the ex-guerrilla left. Consequently, the ELN has never had so many allies, but also not so many enemies since then. On the one hand, the increase in the number of enemies has weakened its military capacity and reduced its political influence and its roots in civil society due to the increase in deaths, violence, and fear in the areas where territories and resources are disputed. This has led to a situation where society does not know which group controls a particular area and is forced to support one or the other. On the other hand, having more allies has allowed them to expand their economies by increasing their financial capacity.

7. Conclusion: Is the ELN ready to settle?

Based on the data collected and the theoretical framework employed in this study, it can be concluded that the ELN has not yet demonstrated objective signs of readiness for settlement. This argument is based on contrasting behaviour identified by the ELN in the two countries where it has influence, and on the current ELN structure identified based on four variables. This structure responds to the level of motivation and optimism within the ELN to sign the 'Paz Total'. The concept of bipolarity arises from the ELN's territorial expansion, resulting in a



binational presence with divergent strategic objectives in each country. In Colombia, the group continues to focus on armed efforts to overthrow the government, driven by its ideological foundations. Originally, this agenda included the pursuit of local reforms aimed at fostering rural development, particularly in regions abandoned by the government, before drug trafficking became a focus. This involves establishing parallel governance systems in areas where the ELN has a long-standing presence.

In Venezuela, however, the ELN's strategic alliances with the Maduro government have led it to function more like a parastatal group. It assists the government in controlling key areas, suppressing opposition forces and engaging in criminal activities alongside state security forces. This newfound power emerged following the demobilisation of the FARC-EP and marks an unprecedented development in the ELN's nearly six-decade history of insurgency. Despite this opportunity, the guerrilla group has made limited efforts to establish political initiatives that would improve the quality of life for Venezuelans.

The conclusion that the ELN is not sufficiently ready to pursue a comprehensive peace settlement is consistent with the readiness theory, particularly with regard to the conditions outlined by Schiff.¹⁰⁹ In order to reach a settlement, it is essential to be both motivated and optimistic, and at least one of the three conditions that motivate people, as proposed by disposition theory, must be met. However, the first condition — recognising that neither side can win the conflict through armed means — is not fully applicable in this case. Although the state's inability to achieve victory through military force is an unfavourable situation, it does not restrain the ELN, which continues to expand territorially and exploit various illegal financing sources and alternative governance models. As former US Secretary of State Henry Kissinger said, “The guerrilla wins when they do not lose, and the state loses when they do not win”.¹¹⁰

The second condition — recognising that the costs and risks are high and unsustainable — also does not fully apply in this case. The ELN's involvement in lucrative enterprises such as the drug trade and illegal mining gives it the capacity to sustain and even increase its profits. This economic resilience is particularly evident when considering the unique opportunity presented by the demobilisation of its primary adversary, the FARC-EP. While the costs of ongoing confrontation in this protracted conflict are substantial, they do not reach an intolerable threshold. For neither the Colombian government nor the ELN can the prospect of continued armed confrontation be considered unthinkable. The acceptance of conflict as an enduring status quo has persisted for almost six decades, further complicating the assessment of readiness. Finally, the third and last condition, third-party pressure, is the only one present in this case. Following the departure of Colombia's largest guerrilla group, national and international attention has turned to the ELN peace process, creating an additional level of social pressure in favour of the 'total peace' process.

On the other hand, optimism about the results of the negotiations is affected by mistrust and the lack of lowered aspirations from the guerrilla due to its strengthened structure. Mistrust is a crucial subjective factor that has a direct influence on the ELN's decision-making. In 2018 Beltrán himself as a member of the COCE, highlighted factors hindering the process. These include non-compliance and permanent alteration of the peace agreements with the FARC-EP, coupled with an absence of guarantees for its existence as a political subject, announcing that “if the political negotiation efforts made by a guerrilla group like the FARC-EP end, in which they disappear as a political-military subject and as a political subject, then what is being

¹⁰⁹ Schiff, “Readiness Theory, *op.cit.*”

¹¹⁰ Kissinger, Henry: “The Vietnam Negotiations”, *Foreign Affairs*, vol. 48, n° 2 (1969), pp. 38-50.



questioned is the regime's negotiation model"¹¹¹. These types of comments were also made by members of the ex-guerrilla themselves, expressing that their return to arms is due to the non-fulfilment of the agreement in 2016 and the unilateral modifications made by the new government, Duque's government¹¹²

This raises significant questions about the sustainability of the peace process with the Colombian government, particularly if a pro-agreement presidency is replaced by an anti-negotiation one. Currently, there is a risk that Petro will not be re-elected in 2026. If this were to happen, it could lead to a repeat of the situation with the FARC-EP, where the peace process encountered obstacles when the leadership changed. Such changes in political leadership and policy could hinder progress and distance the ELN from achieving a comprehensive peace agreement.

Given the ELN's increased territorial presence, growing number of actors, prominent binational status, lack of explicit support for the peace process from some of its most powerful factions and increased resources, there has been a shift away from a readiness to end the conflict. In this context, subjective factors play a pivotal role in decision-making. The importance of these factors was evident during the 2016 peace negotiations. Despite positive objective factors conducive to a settlement being present, such as a government willing to negotiate, ongoing confrontations with other armed groups, a low number of combatants (approximately 1,500), a weakened financial and military situation and deployment to increasingly peripheral locations, negotiations did not yield a settlement. In this type of situation, the answer may lie in subjective factors such as optimism about occupying territories and businesses that would be abandoned by the former guerrillas, or problems of internal cohesion.

Contrary to this article's assessment of the ELN's current lack of readiness for a 'total peace', if an agreement is reached, subjective factors would once again assume significance. These factors could include the ELN's desire to regain political legitimacy in the areas it controls. It is important to note that, even if an agreement is signed, a substantial proportion of the ELN's members may choose not to participate due to concerns relating to internal cohesion. As Pruitt suggests, readiness reflects the mindset of top leaders concerning their adversary — the Colombian government, in this case. Notably, the absence of an explicit commitment from one of the most critical war fronts — particularly the Eastern Front, which is not represented at the negotiating table — could significantly influence the overall decision-making process. This could either sway the entire entity's stance on the agreement, or it could position itself as a key spoiler during the negotiations, as was witnessed in previous negotiations with the Duque administration.

This research also emphasises the pivotal role of third parties with significant military and political influence — Venezuela being a prime example in this context. Venezuela is considered a key factor in these negotiations. Although Petro has engaged with President Maduro and expressed his intention to cooperate, this depends on Venezuela refraining from military action against the ELN. In the absence of such action, the ELN maintains a relatively strong bargaining position in its negotiations with Colombia. However, this point may be reconsidered if the dialogue process between the guerrilla group and Gustavo Petro's government finally moves forward.

¹¹¹ Cerón and Cortés, *Negociando con el ELN*, op.cit., p. 164.

¹¹² *Containing the Border Fallout of Colombia's New Guerrilla Schism*, International Crisis Group, 2019, Bogota.



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