

Preventing Conflict Upstream:

Impunity and Illicit Governance across Colombia's Borders

Annette Idler

*Changing Character of War Centre, Pembroke College, and Department of Politics and
International Relations, University of Oxford, Oxford, United Kingdom*

Dr Annette Idler
Pembroke College
Pembroke Square
Oxford OX1 1DW

+44 (0)1865 278834
annette.idler@politics.ox.ac.uk
@AnnetteIdler

Dr Annette Idler is Director of Studies at the Changing Character of War Centre, Senior Research Fellow at Pembroke College, and at the Department of Politics and International Relations, and affiliate at the Latin American Centre, all University of Oxford. She is also Research Associate at the Centre on Conflict, Development and Peacebuilding, Graduate Institute Geneva. Dr Idler holds a doctorate from the Department of International Development and St. Antony's College, University of Oxford.

Abstract

This article explores how transnational borderlands matter for conflict prevention and, in particular, so-called upstream engagement, which aims to reduce threats to global stability and security that arise from the world's increasing interconnectedness. As I contend, accounting for transnational borderlands in vulnerable regions is crucial for conflict prevention as pursued by the defence and security sector because borderlands are catalysts of the negative side of global interconnectedness: they are business hubs for transnational organised crime, sites of retreat for conflict actors, and safe havens for terrorists. The border areas' proneness to impunity and the ability of violent non-state actors to govern these spaces illicitly contribute to the emergence of these characteristics. I therefore argue that conflict prevention needs to do two things to address these risks: first, to overcome a national security approach centred on the borderline and instead acknowledge transnational security dynamics in borderlands on both sides of the border; second, to overcome the state-centred governance lens to also consider governance exerted by non-state actors. The article draws on empirical data from a six-year study including over a year of fieldwork in and on Colombia's borderlands.

Keywords: borderlands, governance, conflict prevention, impunity, FARC, Colombia

Introduction¹

Borderlands are crucial security zones, but poorly understood by security and defence stakeholders. Many borderlands in vulnerable regions have been unruly places for decades. Insurgents, criminals, and terrorists have occupied border spaces across the globe. The border areas shared by Afghanistan and Pakistan, and the Iraqi-Syrian border are hubs of violent extremist groups. In the Congolese-Ugandan border region and at the Somali-Kenyan border in the Horn of Africa, insurgents and other violent groups have inflicted huge suffering on civilians. And at the tri-border area shared by Brazil, Paraguay, and Argentina in the Southern Cone, and Colombia's shared borders with neighbouring Venezuela, Panama, and Ecuador, criminals, rebels, and others have fuelled conflict close-by and far away. The "jungle" in Calais and stranded migrants in Malta show that also border spaces in less vulnerable regions face severe governance challenges.

Even though borderlands are key for reducing global security threats, they hardly figure on the agenda of conflict prevention and upstream engagement that aims to reduce threats to global stability and security arising from the world's increasing interconnectedness. This reflects a general trend in both policy circles and scholarship. Accordingly, conventional thinking on borders can be divided into two strands: on the one hand, a view according to which we live in an interconnected, borderless world where borders have become irrelevant; and on the other hand, a view according to which borders matter as military lines to be defended in the name of national sovereignty. As I contend, both views miss the spaces in between—borderlands—and thus ignore critical threats to international peace and security that arise from these zones. As a result, current conflict prevention efforts by defence and security stakeholders largely follow an approach that is ill equipped to tackle security challenges emanating from border areas.

Against this backdrop, this article addresses the following question: how can a borderland lens in defence and security policies help prevent conflict? As I argue, accounting for transnational borderlands in vulnerable regions is crucial for successful upstream engagement and conflict prevention more broadly because borderlands are catalysts of the negative side of global interconnectedness: they are business hubs for transnational organised crime, sites of

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retreat for conflict actors, and safe havens for terrorists. The border areas' proneness to impunity and the ability of violent non-state actors to govern these transnational spaces illicitly are conducive to these functions. Security and defence stakeholders aiming to enhance conflict prevention efforts therefore need to do two things to address these risks: first, to overcome a national security approach centred on the borderline and instead acknowledge transnational security dynamics in borderlands on both sides of the border; second, to widen the state-centred governance focus to also address governance exerted by non-state actors across borders. I substantiate my argument through a discussion of Colombia's borderlands, particularly the border areas shared by Colombia with Venezuela and with Ecuador respectively. Between 2011 and 2017, I carried out extensive fieldwork in and on those border regions with more than 550 semi-structured interviews that inform this study. The interviewees included ex-combatants, military and police officials, refugees, civil society leaders, staff members of international organisations and of non-governmental organisations, and academics. I complemented the data gathered during my fieldwork with comprehensive reviews of the literature on borderland studies and conflict studies more broadly.

The article is structured in the following way: I start with a brief overview of the concept of conflict prevention and of how it translates into defence and security policies, followed by a discussion of borderlands as essential security zones. Drawing on the case of Colombia's borderlands, I then demonstrate the security threats that arise in transnational border areas, largely ignored by current strategies and policies. Two aspects stand out: first, cross-border impunity, and second, illicit governance. I conclude that, in order to reduce critical threats to global peace and stability, security and defence stakeholders interested in conflict prevention need to put transnational borderlands at the top of their agendas.

Conflict Prevention at the Interface of Development, Security, and Defence

While "conflict prevention" prevails in the development and peacebuilding sector and related scholarship, "upstream engagement" has been mostly reserved to the military arena and resonates with the fields of strategic studies, war studies, and military history. In this article, I bridge the two realms in order to engage in a comprehensive analysis of those spaces where understanding security threats requires integrating military, development, and peacebuilding lenses: transnational borderlands.

As Paul Lederach (2003) points out, the concept of conflict transformation (rather than conflict resolution or conflict management) helps understand how to resolve incompatibilities with less violence. Similarly, conflict prevention is about addressing incompatibilities before they become violent. According to Menkhaus (2004, p. 429), “to be effective and comprehensive, a preventative strategy must integrate [the relevant] types of prevention and differentiate between the preventative ‘toolboxes’ that are appropriate for each stage of a conflict”. In line with prevailing typologies in scholarship and practice, Menkhaus (2004, p. 429) distinguishes between five types of prevention: first, structural prevention addressing the conflict’s root causes; second, early prevention when there are early signs of a serious conflict to emerge; third, late prevention when a country is on the brink of violent conflict; fourth, conflict management to control the conflict; and finally, peace building in post-conflict situations. For conflict prevention to be effective, one should take measures early, use multilateral initiatives, address different conflict dimensions with different tools, and choose the tools in accordance with the step of the so-called ladder of prevention, that is, the five types outlined above (Carnegie Commission, 1997, p. xviii; Cockell, 2002, p. 187; Lund, 2002, p. 169; Menkhaus, 2004, p. 443; Miall, 1999, pp. 111–113). The potential benefits of preventative engagement are high. Even though more than forty per cent of conflict prevention interventions fail, the gains of succeeding are sixteen times higher than what they cost (Picciotto, 2008, p. 16). According to Paul Collier (2008, p. 32), preventing one intra-state war saves USD 64 billion a year in direct costs. This is because an average internal armed conflict would amount to two and a half times the value of the respective state’s gross domestic product at the time the conflict begins (Picciotto, 2006, p. 114).

The notion of prevention to reduce security threats is slowly gaining traction in international affairs. In 1992, the United Nations’ (UN) Secretary-General at the time, Boutros Boutros-Ghali (1992), asked for conflict prevention to be intensified. In 1999, then UN Secretary-General Kofi Annan (1999) called for a “culture of prevention”, a comprehensive approach of conflict prevention. And although the UN missed an opportunity to promote the idea when conflict prevention was excluded from the remit of the Peace Building Commission in 2005,² since then, there have been further efforts to change this. For example, the United Nations Development Programme’s Bureau for Crisis Prevention and Recovery (BCPR) developed a

² See United Nations A/RES/60/180 and S/RES/1645 (2005).

guidance note on “governance for peace” as a major element of conflict prevention (Muggah et al., 2012). Accordingly, governance that is conducive to peace comprises inclusive political processes, responsive and accountable institutions, resilient state-society relationships, and strong partnerships across different actors involved in conflict prevention efforts (Muggah et al., 2012, p. 12). This is in line with the UN 2030 Agenda for Sustainable Development, set more recently. In this context, the international community defined Sustainable Development Goal (SDG) 16: “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels” (UN, 2015). More recently, in 2017, the current UN Secretary-General (n.d.) re-emphasized conflict prevention to be a priority for the international community.

The Role of the Military for Conflict Prevention

Not only development agendas, but also strategies and policies in the defence sector increasingly feature elements of a preventive approach. From a defence perspective, in our globalised world, security threats seemingly far away can quickly have an impact close-by. So-called “upstream engagement” follows this logic: diffuse threats “upstream” are addressed before they arrive “downstream”.³ Put differently, crises and conflicts are prevented, or at least contained, before they erupt or expand. Similar to approaches in the UN, the focus lies on strengthening national capacities, for example via security assistance, before conflict breaks out, to stabilise fragile settings, and to rebuild areas affected by conflict to prevent a relapse into war.

In the British context, the Ministry of Defence’s Joint Doctrine Note 1/15 (2015, pp. 59, 11) specifies that upstream operations include capacity building and conflict prevention. Capacity building can refer to security assistance to local armed forces, military education, or training in civilian tasks such as building roads and bridges or participating in other infrastructure projects. Conflict prevention in the form of military operations is less specific and partly overlaps with capacity building. Policy documents such as the UK’s Army 2020 brochure (Army, 2013, p. 21) refer to such efforts as “overseas engagement and capacity building” which, “if properly targeted and resourced, should deliver benefits to the UK and more

³ The term “upstream” is commonly used in the oil and gas industry where it refers to the exploration and production stage of the industry, as opposed to midstream – transport – and downstream – the refining, processing, marketing, and distribution of the product.

widely to global stability by reducing the need to deploy in the future on costly intervention operations.”

Other European governments have adopted the approach of preventing conflict “upstream” as an integral part of their security and defence policies as well. The German White Paper (2016, p. 39) for example lists “Fragile States and Poor Governance” as one of the challenges for German Security Policy. It identifies “early recognition, prevention and resolution of crises and conflicts” as one of Germany’s strategic priorities. The document states that that

crises, conflicts, failing states, and humanitarian disasters influence not only directly affected states and regions but also indirectly affected states and regions such as Germany and Europe. The earlier crises and conflicts are countered by preventive measures, the greater the chance of preventing escalation and of achieving stability (Federal Ministry of Defence, 2016, p. 50).

Similar to the British approach, the White Paper (2016, p. 52) highlights

preventive measures in order to de-escalate conflicts and crises at an early stage [...] in close cooperation with regional and local actors [...] to enable states and regional organisations in fragile environments to independently assume security responsibility in a comprehensive manner. German and international commitment in crisis regions can be adapted and, over the long term, scaled back as regional and local actors establish the rule of law and gain the capacity to take responsibility for themselves.

The United States armed forces emphasised the need for preventive measures already in the late 1990s, following the crisis in Kosovo. They included the support of security sector reform and other activities to stabilise fragile settings and rebuild regions after conflict to prevent a relapse into war into their strategies and policies (Brune et al., 2015, pp. 45–47). Finally, also alliances such as the North Atlantic Treaty Organization (NATO) follow a conflict prevention-sensitive approach. NATO maintains partnerships with non-member states in order to enhance “international security, peace and stability” among other strategic objectives. These partnerships include capacity building, education, and training with a view to preventing crises (NATO, 2011, p. 11).

Overall, as this brief overview illustrates, conflict prevention efforts across development, security, and defence sectors, especially if carried out by national governments or the UN made up of member states; typically focus on strengthening national capacities. They view potential security threats through a state-centric lens, prompting state-centred solutions. This does not exclude the possibility of regional approaches comprising several states to address

interstate tensions arising for example in the context of border disputes, and to tackle joint challenges in a seemingly borderless, globalised world. Yet it does complicate preventing insecurity that stems from dynamics in the spaces in between, namely borderlands. This is because a focus on borderlines as state limits obscures the relevance of transnational dynamics. Especially in the defence sector, securing or defending borderlines, in line with the concept of national, or external, security, distracts from challenges related to transnationality. Furthermore, a focus on strengthening state governance functions often overlooks the role of non-state governance. Crucially, preconceived ideas of the state as solution ignore that, according to local perceptions in transnational spaces, the state may be more of a culprit rather than a saviour, which can lead to situations that undermine stability even further rather than consolidating it.

Conflict prevention employed in a coordinated approach between development and military actors is necessary to both deprive violent non-state actors of their illicit authority and hence impede what I call “shadow citizenship” (see below), and to foster governance for peace—be it non-state, yet non-violent governance, or governance provided by state actors.

Transnational Borderlands as Hubs of Security Threats

In the context of efforts to prevent and reduce local and global threats to international peace and stability, security and defence analysts have been grappling with the tension between an increasingly borderless world, on the one hand, and the persistent relevance of borders, on the other. They have however missed to focus on the spaces that are paradigmatic for this tension: transnational borderlands, the spaces that straddle international borders.

On the one hand, growing interconnectedness has made the world increasingly borderless. Economic and financial liberalisation as well as advances in communication and transportation technologies have facilitated commercial, social, and cultural exchange across borders (Andreas, 2003, p. 83), but also produced new security threats that matter for global stability. Instant availability of information, for example through social media, and the speed with which such information spreads globally, have facilitated human development in some parts of the world, yet have also fuelled grievances, as these characteristics of globalisation reveal more starkly the lack of development and progress in other parts. Novel technologies brought new challenges for defence: conflicts far away can more easily have repercussions at

home, as terrorist attacks in Europe and the massive migrants' crisis attest. While cross-border movements have long been common, the scope of the activities belonging to the "Other Side of Globalization" is new (Schendel and Abraham, 2005). Local entrepreneurs of violence are superseded by global networks, ordinary criminals join transnational terrorists, and chains of illegal drug, human, or weapons trafficking extend across continents and to the cyberspace (Idler, 2014a, p. 56).

On the other hand, borders and boundaries still matter for defence policies. Two reasons stand out. First, the very interconnectedness across borders reinforces other types of boundaries that catalyse conflict. As Kaghram and Levitt (2008, p. 24) argue,

globalist scholarship then, is often not fine-tuned enough to capture cross-border agents, structures, and interactions that are not all worldwide in scope. Furthermore, actors are often depicted as so heavily constrained that they cannot possibly react against these universalistic systemic forces.

And yet, these reactions have been considerable. Boundaries drawn along religious and cultural differences as well as along ethnicity have been characterising human relations ever since, but the "de-bordering" process of globalisation renewed the relevance of identity as a driver of conflict. This includes strengthened nationalism, economically promoted regionalism, and the re-claiming of identities and cultural habits (Morehouse et al., 2004, p. 7). These issues have been particularly pressing on the agenda of world politics after 9/11 (Andreas, 2009, pp. vii–viii), and, in the 2010s, diverse actors on the world stage ranging from the so-called Islamic State to powerful politicians emphasized them as a (manipulative) tool to gain influence. Second, power politics and boundary disputes still matter (Klemencic and Schofield, 2004, pp. 63–64). The concept "border" gained meaning with the Westphalian understanding of the nation-state (Idler, 2014a, p. 57). Borders confer sovereignty and territoriality to nation-states, ideas which have become norms embedded in international law, treaties, and resolutions (Idler, 2014a, p. 57). Interstate conflicts aimed at redrawing borderlines through territorial conquest characterize the state system's history (Andreas, 2003, p. 81), and territory remains important to understand the onset and escalation of war (Toft, 2014). Military operations in Afghanistan or Georgia demonstrate that neither interstate wars nor outside interventions have been banished (cf. Carter and Goemans, 2011). More recent events also point to the continued relevance of international borders for security and defence. The Russian intervention in Ukraine, Europe's concern with securing its external borders due to the "migrant crisis", the British government's emphasis on

sovereignty in its demands to take control of its own laws in the context of Brexit, and US President Donald Trump's wall plans to fortify the border with Mexico are just some of the most emblematic cases.

Paradoxically, both security threats that arise from the ease in crossing borders—such as transnational terrorism and organised crime—and insecurity linked to contested, or reinforced, borders, are significantly boosted by analysts' neglect of borderlands. Therefore, reducing existing threats, and preventing future ones, including the breakout of armed conflict, requires accounting for these transnational spaces.

As a universal concept, borderlands are characterised by their transnationality and their distance to the political and economic state centres (Idler, 2014a, pp. 59–63). Hence, a cross-border, or borderland, perspective which considers the area on both sides of the border as one spatial unit of analysis helps understand borderlands (Baud and van Schendel, 1997, p. 216; Schendel, 2005, p. 44). Grasping security dynamics in these spaces also necessitates accounting for the relationship between centres and borderlands. These dynamics shape state policies that are relevant to territorial sovereignty, a nation's identity, and its embedment in the regional context. This approach opposes the conventional view according to which global dynamics influence state centres, and these power centres affect distant borderlands (Zartman, 2010, p. 9). The power centres would try to expand, militarize their borders in defence, or make agreements on cross-border trade with repercussions on the borderlands (Zartman, 2010, p. 11).

In borderlands in vulnerable regions, transnationality and their distance from state centres typically translate into insufficient state capacities, facilitating phenomena which turn borderlands into catalysts of the “other side of globalisation” (Schendel and Abraham, 2005), but which conflict prevention approaches generally do not account for.

The first characteristic, the transnationality of borderlands, makes these spaces prone to impunity. By definition, several regimes regulate borderlands: two different jurisdictions and security systems meet in these spaces (Zeller, 2013, p. 194). In regions with low state capacity, multiple forms of regulation mean that national approaches to border control lack coordination. Miscommunication characterises intelligence exchange, and mutual mistrust

typically complicates police cooperation between the two bordering states. Development and military actors interested in enhancing stability typically lack coherence between them and in their approaches across the borders. This turns borderlands into convenient sites for the “glocal” operations of criminals and other violent non-state actors. Without adequate bilateral cooperation and with law enforcement agents tied to their national jurisdictions, crimes are difficult to prosecute. Violent non-state groups cross the border legally or illegally, but most of the time state forces and prosecutors cannot cross it. In brief, the blurring of two neighbouring jurisdictions offers an advantage for non-state actors in comparison to law enforcement constrained by territorial sovereignty (Donnan and Wilson, 1999). Violent non-state actors benefit from cross-border impunity in three ways. First, they can commit crimes on one side of the border and flee to the other side. Due to the lack of intelligence cooperation and the restrictions of state law enforcement officials to their own jurisdiction, these crimes remain without due investigation. Similarly, they can plan the crime on one side, cross the border to commit the crime, and return. Finally, they can kill on one side of the border and dump the body of the victim on the other side. In the absence of a body, no homicide is registered and thus homicide rates are lower than actual deaths, rendering violence less visible.

The second characteristic, the borderlands’ distance from political and economic centres, translates into weak state governance. This marginalisation entails the exclusion from national decision-making processes and from the national economy due to deficient infrastructure and communication channels that would connect the periphery with the centres (Clement, 2004, p. 54). Williams and Godson (2002, pp. 315–316) note that weak states manifest ideal conditions for organised criminals to flourish. Criminals would use weak states as a home basis to extend their operations elsewhere. Similarly, when discussing the difficulties of tackling violent non-state groups, especially criminal actors, Moises Naím (2007, p. 34) notes that “complicating the fight is that these networks are simultaneously local and global”. They are entrenched in local power structures and at the same time manifest international mobility. Consequently, the borderlanders’ loyalty to the government may yield to self-interested illegal economic interactions with those beyond the borderline. This neglect explains why what is illegal for the state may be considered legitimate by those involved (Schendel and Abraham, 2005, p. 4), contributing to what I call shadow citizenship: some sort of social contract whereby the state-society relationship is replaced by a mutually reinforcing relationship between a (violent) non-state actor and the local community (Idler,

2014b). In such a relationship, the violent non-state group assumes governance functions while the local community socially recognises the group as (illicit) authority. If shadow citizenship emerges across borders, and contributes to a sense of belonging to a transnational borderland community, then attempts to foster local state capacities may not only be futile, but can also backfire. They can alienate local communities even further from the state, thus bolstering the support base of the violent non-state groups that these very preventative strategies and policies aim to address. More border control to reduce such illicit cross-border activities can also backfire because it makes them more lucrative and antagonizes local communities who depend on these activities to sustain their livelihoods. This is relevant for the effectiveness of security policies. Andreas and Nadelmann (2006, p. 4) note that “concerns over transnational law evasions rather than interstate military invasions increasingly drive the security priorities of many states.” And after all, while intensified state measures may strengthen the control of the borderline, borderlands—the spaces that surround them—remain neglected.

As a result, borderlands in vulnerable regions are prone to conflict and organised crime. They lack exactly those elements that are considered vital for effective conflict prevention: inclusive politics, responsive institutions, and a resilient state-society relationship. Hence, if conflict prevention efforts are to mitigate threats to global stability and security, they should address these “glocal” dynamics in borderlands to reduce the economic and/or political power of violent non-state actors.

Challenges for Preventing Conflict Upstream: The Case of Colombia’s Borderlands

In the following case study, I demonstrate how various violent non-state groups have used the transnationality of Colombia’s border areas to remain unnoticed while furthering their economic and political agendas, and how their illicit cross-border authority has contributed to what I term shadow citizenship. Both factors undermine local security and constitute risks to security and stability more broadly, and yet they fall outside the conventional conflict prevention radar.

In Colombia’s borderlands, conflict and crime dynamics converge, making them attractive sites for rebels, paramilitaries, and criminal organisations alike (Idler, 2014a). Their location is of geostrategic significance within the global cocaine industry and related forms of

transnational organised crime (Clawson and Lee, 1996), and they are sites of retreat, reorganisation, and operation of the major actors involved in Colombia's decade-long armed internal conflict (Pécaut, 2001). Colombia's border areas became the principal war scenes after the shift of the conflict to the country's peripheries. The financing fronts of Colombia's largest rebel group, the Revolutionary Armed Forces of Colombia—People's Army (FARC), that signed a peace deal with the Colombian government in 2016, operated in the border areas until recently. Being in border zones allowed them to cross over to neighbouring countries easily to deal with logistics or supply.⁴

Bogotá's security policies brought Colombia's border areas further to the centre of the country's conflict dynamics. In 2000, the US Congress approved Plan Colombia, a counter-drug and counter-insurgency initiative developed by the Colombian government, which later—with US assistance—became part of former President Uribe's Democratic Security Policy. Uribe's policies brought increased security to urban areas, but moved the conflict's impacts further to the periphery and beyond. The repercussions of military operations, refugee flows, and fumigations, i.e. toxic aerial sprayings to eradicate coca, were evident on the Colombian and on the non-Colombian side of the border. At the same time, criminal and conflict actors expanded their activities in these regions. This was facilitated by the fact that, in Colombia's borderlands, the states lost, or never had, legitimacy in the eyes of the local population due to the weak (civilian) state presence on both sides of the two borders and widespread impunity resulting from shortcomings in bilateral border security cooperation.

Tackling Impunity: From National Borderlines to Transnational Borderlands

According to the approaches discussed above, conflict prevention involves reducing the grievances of local communities as structural prevention, enhancing the resilience of the relationship that these communities have with the state, and strengthening national institutions through capacity building. Yet hardly any of these preventive activities explicitly incorporates the cross-border dimension of the threats to be prevented. Capacity building of local armed forces as one form of upstream engagement is normally designed to tackle security challenges within a national territory or to defend oneself against a threat from outside. Due to the state-centric lens, it hardly accounts for cross-border challenges, ignoring a wide range of risks that can become major threats if not addressed “upstream”. If crimes are

⁴ Even though the FARC signed a peace deal, as of 2017 the armed struggle of the second rebel group, the ELN, continues. Hence, this article considers armed conflict in Colombia as ongoing.

committed “across the border” and the two neighbouring states’ law enforcement authorities lack the necessary cooperation, these crimes are less likely to be investigated than within one national territory.⁵ Many incidents of physical violence and other forms of victimisation are not reported or prosecuted. Without figuring in statistics or reports, these crimes fail to attract the attention of the host governments and of the international community: policymakers neglect or underestimate precarious security dynamics in borderlands.

Across the shared borders of Colombia, Ecuador, and Venezuela, cross-border impunity has concealed violence. The security situation in the Ecuadorian border town San Lorenzo, at the Pacific coast, is a case in point. In the late 2000s, right-wing groups from Colombia hired smaller Colombian gangs to threaten San Lorenzo residents and to carry out killings in the town. Since the gangs invaded the Ecuadorian territory only sporadically without permanent presence, the Ecuadorian authorities hardly carried out any investigations into the crimes. At the same time, the operations of the Colombian authorities stopped at the borderline and thus did not address the Colombian groups’ activities in San Lorenzo. As a result, the impact of these threats on the security of San Lorenzo residents was little noticeable to anyone not directly affected by it.⁶

At the Colombia-Venezuela border, armed actors took advantage of cross-border impunity to reduce the attention of the international community by keeping homicide rates low. Between March and April 2003 for example, the bodies of more than fifty Colombians were dumped on the Venezuelan side of the border (Fundación Progresar, 2010, pp. 86–106). Many of them were buried anonymously on Venezuelan cemeteries close to the borderline. This way they did not count towards the homicide rate in Colombia. Also more recently, the two main insurgent groups, the now-demobilised FARC and the National Liberation Army (ELN), used transnational borderlands to maintain a low profile. As of 2016, in the Colombian region of Baja Guajira, which borders the Venezuelan state of Zulia, both the FARC and the ELN controlled vast territories in which they charged taxes to the local population and decided on rules of coexistence. In return, communities were able to live without major security

⁵ This is a general phenomenon of borders. At the Irish-British border for example, “there are instances in the south Fermanagh area where terrorists literally walked from one side of the border to the other, carried out their heinous murders and then walked back, believing that they would be afforded a form of safe passage and sanctuary” (Patterson, 2013).

⁶ Interviews with local community members, Esmeraldas, Ecuador, and Nariño, Colombia, 2011 and 2012.

problems—as long as they followed the rules.⁷ Many guerrilla members had also bought properties on the Venezuelan side of the border and moved their families there. Despite their frequency,⁸ violent incidents in the Venezuelan border zone mostly went unnoticed by the international community. This is because neither the Colombian nor the Venezuelan government recognise the full extent to which those rebels have been operating on Venezuelan territory. The Colombians did not consider it their responsibility to address those issues on the Venezuelan side and the Venezuelans downplayed the threat—or, as some would argue, may even have been complicit (Ramírez, 2011, pp. 60–61). Consequently, while the rebels appear to have lost influence in Colombia, they may in fact have used sites of retreat on the Venezuelan side to reorganise and strengthen themselves, not least, because the territory is a strategic transit zone on the international drug trafficking route.

As I have demonstrated elsewhere (see e.g. Idler, 2014c, 2012), examples of the FARC's cross-border movements to engage in illicit economic activities abound. When Colombia tightened cocaine interdiction measures in the Colombian department of Arauca in 2005, the landing strips were moved across the border to the Venezuelan state of Apure. In July 2012, the New York Times reported that 121 tracks of illicit drug flights had their starting point in Venezuelan Apure (Neuman, 2012). At that time, the FARC coexisted with the ELN and the Bolivarian Liberation Front, a Venezuelan left-wing armed non-state group, in Apure (Idler and Forest, 2015). Moving the business across the border allowed them to maintain their income share from the cocaine industry. Similarly, the FARC (and other armed actors) crossed the Colombian-Ecuadorian borderline to pursue their economic interests and remain unnoticed. They shifted mobile cocaine laboratories from Putumayo to Sucumbíos to evade detection. In other border areas, the FARC charged taxes on illegal mining on the Ecuadorian side of the border. In order to stop these activities, the Ecuadorian military destroyed the excavators, but this had little long-term effects: illegal mining and the FARC's extortion soon continued as usual (Idler, 2014c).

Accounting for the proneness of impunity of borderlands allows better understanding the full scope of the activities of other actors present in these spaces, including state actors. They too take advantage of the borderlands' transnationality without international actors necessarily being aware of it. Cases in point are the incidents of so-called “false positives” across the

⁷ Interviews with local community members, La Guajira, Colombia, 2016.

⁸ Interviews with local community members, La Guajira, Colombia, 2016.

border in which members of the Colombian state forces were involved. Reportedly, in May 2008, Colombian soldiers crossed the border to the Ecuadorian province of Sucumbíos as paramilitaries, taking Ecuadorians to Colombia, shooting them, and dressing them up as guerrillas to increase the body count, and to receive additional reward money (González Carranza, 2011, pp. 93–95; Jaramillo Viteri, 2011; Rivadeneira Muñoz and Gonzaga, 2008).⁹ Demanding accountability across the border is difficult: on the one hand, Bogotá denied the fact that members of its military crossed the border and thus violated Ecuador’s territorial sovereignty on many occasions. On the other hand, the Ecuadorian military was perceived to lack the will or the capacity to take action (Alston, 2011, pp. 6–7).

As these examples show, if conflict prevention stops at the borderline, it misses an important dimension of security dynamics. Locally, actual levels of violence are ignored, leaving borderland communities at the mercy of violent non-state actors. Globally, a state-centred approach to upstream engagement and other forms of conflict prevention easily overlooks the strengthening of violent actors across borders. Similarly, when armed actors shift their illicit economic activities across the border to evade law enforcement measures, defence and development actors miss opportunities to cut off their income sources. A national security lens focusing on borderlines as territorial demarcations that need to be defended cannot capture these dynamics. Instead, accounting for transnational borderlands as part of a more comprehensive view on security highlights the need for borderlands to be regulated adequately in order to thwart illicit cross-border activities of violent non-state actors and promote legal opportunities across the border.

Addressing Illicitly Governed Spaces: From State Governance to Recognising Shadow Citizenship across Borders

Neglected from central governments, borderlands seldom experience inclusive politics, except at the local level. Borderlanders lack basic services, infrastructure, and economic opportunities, and institutions are neither responsive nor accountable. Addressing such shortcomings appears to be in the realm of development cooperation agencies: they implement programmes in such regions to strengthen the capacities of state institutions. Yet it is often ignored that, in border areas, these deficiencies yield dynamics that extend across the

⁹ Interviews with local community members, Sucumbíos, Ecuador, 2012. See ICG (2009, p. 8) and Alston (2010) for discussions of false positives.

border, fostering a sense of belonging to a transnational borderland community among locals that distances them even further from central governments.

Furthermore, border areas are not necessarily “ungoverned” spaces where the state can come in to fill a vacuum (Clunan and Trinkunas, 2010). The absence of state governance systems is filled with a governance system provided by other actors, which can either result in institutional pluralism (Zeller, 2013, p. 211), or transform borderlands into “illicitly governed spaces”. Violent non-state actors operating in these territories exploit state absence and take over governance functions (Kalyvas et al., 2008; cf. Mampilly, 2011). They establish shadow citizenship and thus replace resilient state-society relationships, one of the core principles of governance for peace, essential to effective conflict prevention. Not feeling part of the national community, citizens may find shadow citizenship imposed by violent non-state groups more in line with, and responsive to, their everyday live needs than a social contract with an absent state. Situations in which borderland communities “exit” the state-society relationship (if it had existed before),¹⁰ and enter a mutually reinforcing relationship with a violent non-state group thus contradict the conventional wisdom of conceiving borderlands as ungoverned or ungovernable spaces (Goodhand, 2013, pp. 247–249; Zeller, 2013, pp. 193–218).

In conflict prevention efforts including upstream engagement in which governance for peace is a major component, illicitly governed spaces are often overlooked. Analyses tend to focus on shortcomings of the state, that is, on governance voids that need to be filled. Yet there is hardly any focus on the extent to which violent non-state actors have replaced such functions. What is more, state actors and the international community are often not even aware of this. In Colombian Nariño, I learned that, in territories under guerrilla control, insurgents told people not to raise issues related to human rights violations when speaking to officials of humanitarian organisations. Otherwise they would be punished. Humanitarian organisations and other “outsiders” were not allowed to enter certain territories thus being unable to verify the situation on the ground.¹¹ As such spaces are often non-violent because non-state actors control the territory, they are invisible to the outside. A state-centric approach largely prevents upstream engagement from accounting for non-state capacities and from engaging them in a constructive way.

¹⁰ See Picciotto et al.’s (2007) conceptualisation of Hirschman’s (1972) “Exit, Voice and Loyalty”.

¹¹ Interviews with local community members, Nariño and Putumayo, Colombia, 2011 and 2012.

Focusing on the particularity of borderlands as marginalised regions as opposed to other regions with weak state governance highlights an additional challenge for mitigating security threats “upstream” before they “flow” downstream: illicitly governed spaces exist across the borderline. In 2012, during one of my fieldwork trips to the Colombian department of Putumayo in the south of the country, a peasant remembered his life in the 1990s when the FARC were the only ones who “governed” the region: “At least we had our land, our farm, and they helped us feed our families”. The FARC helped build health centres, roads, and provided what they consider justice (Idler, 2014c). Such illicitly governed spaces can exist in any marginalised state territory. In border areas however, violent non-state groups can draw on their transnational illicit authority without being disturbed by state actors to engage in illicit cross-border activities that undermine security in our interconnected world. These include drugs, human, and wildlife trafficking, which constitute income sources for conflict actors and terrorists; and arms and ammunition trafficking to directly fuel conflict. Beyond that, by emphasizing a shared transnational rather than a national identity, violent non-state groups can foment a sense of belonging to a “shadow community” among local community members because these are disconnected from the central state. In situations where the neighbouring state is perceived to be more responsive and efficient than the citizens’ own government, (re-)building the state-society relationship presupposes ensuring a basic level of credibility and legitimacy of the state in the first place.

Examples are countless. Along the Colombia-Venezuela border, the FARC’s Front 33 was known to operate in the Colombian region of Catatumbo in the department of Norte de Santander. Yet when I visited the region south of Machiques in Venezuelan Zulia on the other side of the border in 2012, locals told me that the Front 33 was likewise present on Venezuelan territory, entering the country via numerous trails that exist across the porous border. They controlled the territory, among others, by charging taxes on ranchers and on shop owners, and regulated everyday life matters.¹² The porosity of the border and the lack of a sense of belonging to the national citizenry were also evident on the Colombian side. When visiting the homes or offices of Colombians in Catatumbo I saw images of Venezuelan then-president Hugo Chávez on the house walls rather than of Colombian officials. People listened to Venezuelan radio since there was no reception of Colombian channels. I was told that,

¹² Interviews with local community members, Zulia, Venezuela, 2012.

when a bridge was broken, Chávez would have sent money to get it repaired whereas the Colombian authorities apparently did nothing.¹³ Such a situation alienates people from the state and fosters a sense of belonging to a transnational borderland community. A transnational sense of belonging that alienates people from the state and hence questions preventive efforts that prioritise state actors is also related to economic activities that are licit, yet fuelled by those who govern illicitly. In Ecuadorian Carchi for example, residents legally sold provisions to Colombians, supposedly including FARC members in plain clothes. Similarly, as I was told in Machiques, there was one small Venezuelan border village which prided itself on selling more beer cans than any other Venezuelan village—the customers being Colombian rebels (Idler, 2014c).¹⁴

In illicitly governed spaces in border regions where locals sustain their livelihoods with illicit economic cross-border activities, the state and those supporting the state may be considered a greater threat to people's livelihoods than any violent non-state actor that operates in the region. Non-state armed actors may even become “protectors”. The adherence of local community members to a transnational borderland community rather than experiencing a sense of belonging to the national state is thus rooted in these illicit activities and the protection that the “illicit governors” offer in return. Borderlanders may engage in such activities independently, in the service of a non-state group, or in the service of corrupt state officials. In all cases, their relationship with the state suffers. Consider the rebels' illicit authority across the border in the Colombian department of Nariño and the Ecuadorian province of Carchi. When I visited the region in 2012, locals told me that things were calm on the Ecuadorian side; coca cultivation would only be present on the Colombian side. While this was largely correct, I found that many Ecuadorians regularly crossed the border to work in coca cultivation sites during the day and came home in the evenings to spend the night in Ecuador. People would not tell outsiders about their activities since this would jeopardise their livelihoods. They preferred to adhere to the rebels' rules instead.¹⁵ Further east along the Colombia-Ecuador border, things were similar: the FARC regularly called Ecuadorian farmers in the Ecuadorian province of Sucumbíos to attend meetings on the Colombian side of the border. They informed the Ecuadorian farmers at such meetings about the current rate of the *vacuna*, the extortion money that they had to pay on the Ecuadorian side, and about

¹³ Interviews with local community members, Norte de Santander, Colombia, 2012.

¹⁴ Interviews with local community members, Zulía, Venezuela, 2012.

¹⁵ Interviews with local community members, Carchi, Ecuador, 2012.

regulations regarding what to cultivate at their farms on the Colombian side.¹⁶ Neither Bogotá nor Quito took sufficient action to change this situation. Such cases do not fall entirely under the jurisdiction of either Colombia or Ecuador. Furthermore, intelligence exchange and other forms of bi-national border security cooperation are insufficient to address these situations in an adequate manner.

Another example of economic activities common in borderlands that not only alienate local communities from the state, but also draw them closer to violent non-state groups is smuggling. When the state criminalises the cross-border trade of certain goods, such as illicit drugs, but does not have the capacity or will to enforce this law, smuggling becomes a lucrative business (Andreas, 2009, p. 22). Those involved in smuggling benefit from this gap between law and its enforcement, yet they also suffer its consequences. Often, small-scale smugglers are extorted by those in whose service they work. They are asked to pay “taxes” on smuggled goods and are threatened in cases of non-compliance. These smugglers cannot turn to the state when those operating against the state inflict or threaten to inflict violence or other harm to them, undermining the state-society relationship even further and fuelling grievances against those who leave them without protection.

Therefore, upstream conflict prevention that only engages with state authorities, such as local security forces, misses the reality on the ground. It only captures the deficient state governance yet is not conducive to supporting local community members to escape this dilemma. The very support of outsiders to state authorities widens the distance between locals and the state—and risks drawing community members closer to non-state actors who may offer them an illicit and abusive, yet effective, form of protection.

Conclusion

Drawing on the case of Colombia’s borderlands, in this article I have argued that defence policies and strategies aiming to prevent conflict “upstream” need to adopt a borderland lens to address the threats to international peace and security that arise in border areas. I showed that conventional upstream conflict prevention is blind to two characteristics of borderlands that give rise to critical security threats: first, the transnationality of borderlands; and second,

¹⁶ Interviews with local community members, Sucumbíos, Ecuador, 2012.

weak state governance. These characteristics are conducive to cross-border impunity, used by violent non-state groups to their advantage, and facilitate illicit governance systems across borders. Such security dynamics impede the elements that lie at the core of effective conflict prevention: inclusive politics, responsive and accountable institutions, and resilient state-society relationships. The absence of these elements turns borderlands into business hubs for organised crime, sites of retreat for conflict actors, and safe havens for terrorists.

This study has contributed to the literature tackling issues relevant to international peace and security: by integrating strategic and security studies approaches on the one hand, with development studies and peacebuilding approaches, I have provided a more comprehensive lens on the security threats arising from transnational borderlands than each of these bodies of literature does individually. Conceptually, I have shown that upstream engagement from a defence perspective and conflict prevention from a development and peacebuilding perspective strongly overlap in their emphasis on inclusive politics, responsive institutions, and a resilient state-society relationship. Finally, empirically, I have shown that transnational *spaces* (in addition to transnational flows such as refugees, or transnational phenomena such as climate change or terrorism) matter for local and global security.

The policy implications are clear: if conflict prevention is to mitigate threats to global stability and security, it should address these dynamics in borderlands with a whole-of-government approach to reduce the economic and/or political power of violent non-state actors. Three observations on security and defence policies relating to the Andean region corroborate these implications further.

First, analysing the current security landscape in Colombia reinforces the argument that upstream engagement to prevent relapse into conflict or the beginning of a conflict with a successor group is particularly important in Colombia's most marginalised spaces, its borderlands. In November 2016, the Colombian Congress approved the revised peace deal signed by the Colombian government and the FARC, ending more than fifty years of civil war. Yet Colombia still suffers an armed conflict with its second largest rebel group, the ELN. Other groups including the Popular Liberation Army (EPL) have assumed an increasingly political discourse and consolidated power. They did so among others thanks to safe havens across the border in Venezuela, where they attracted recruits and benefited from the connivance of local authorities. Yet other groups, including Central American and

Mexican cartels, have been entering the power vacuums left behind by the FARC, especially in border areas such as the harbour town of Tumaco at the Pacific coast. Continued state neglect helped them maintain a low profile while pursuing illicit businesses.

Second, the Andean region sees a paradoxical convergence of a demobilisation process and peace building efforts after more than five decades of civil war in Colombia, right next to what could be described a situation near state collapse in Venezuela, mostly viewed by the international community in inaction. Without appropriate preventive measures in the border spaces where these two divergent dynamics meet, this neglect risks backfiring, triggering a crisis whose repercussions could extend well beyond the South American sub-continent.

Third, impunity and illicit governance structures in Colombia's borderlands, as demonstrated in this case study, facilitate cross-border migrant flows, and constitute an incentive for human trafficking. The Colombian borderlands are located on strategic corridors not only for drugs, but also for the movement of people, entering for example Venezuela from places such as Lebanon, who cross into Colombia, and exit Colombia across its border with Panama, often in the hope to make it to the US. These dynamics already exist, but they may become unmanageable if the Venezuelan situation deteriorates. While some years ago, people fled from brutal violence in Colombia to Venezuela, these flows are now far from unidirectional: we now also see a reverse of migrant flows with people fleeing the severe economic and political crisis in Venezuela to Colombia. Such flows could become stronger with borderlands being at the centre of a humanitarian crisis, as was the case in 2015 (Idler, 2015).

The Andean region is just one case in point; violent non-state actors have been using borderlands to accumulate power across the globe where state capacities are deficient. Nonetheless, they have hardly received any attention. When armed actors commit violence against civilians, governments and international organisations follow these incidents closely. Against this, spaces where such violent groups are equally, or more present, yet where they do not necessarily engage in violence, go unnoticed. Yet these are the spaces where violent groups, ranging from criminals to insurgents, engage in illegal business activities and exert authority over the local population—without the need to resort to violence. In the case of transnational borderlands, even if armed actors do employ violence, this *modus operandi* remains invisible from the outside due to cross-border impunity, making local communities even more vulnerable. Accounting for transnational borderlands in security and defence

policies is necessary to deprive such groups of social support, destroy illegal businesses, and resume governance functions that governments have failed to provide.

If governments and international organisations continue to fit their security and defence policies into templates—states—drawn up based on international borderlines, they miss those spaces in-between where conflict prevention would be particularly efficient since they bundle all the deficiencies that conflict prevention aims to address. And if they continue to base decisions on levels of violence rather than the ability of non-state groups to exercise authority and provide governance functions, they react to events rather than taking preventive action. These groups will continue to attract recruits, support, and income necessary to strengthen their organisational structure and implement attacks. Identifying illicitly governed borderlands and offering competitive economic alternatives as well as basic services and goods in these regions would help prevent conflict, curb transnational organised crime, and tackle terrorism from the root rather than combat its symptoms.

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